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Veto Session

1-30	<u>Day 01 - 09/14/16</u>
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JOURNAL OF THE SENATE
NINETY-EIGHTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 6, 2016

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

Gracious God, today we remember the Christian celebration of the Epiphany, which proclaims the various ways You have made Yourself known to Your people in every faith on this planet. You have manifested Your presence so that all may know You, for which we give You thanks and praise. So, we ask that You continue to be present with us as we begin this New Year and deal with issues important for Your people. Help us to live fully as Your people girded by faith in You. In Your Holy Name we pray. Amen

The Pledge of Allegiance to the Flag was recited.

Senator Kehoe announced photographers from KQTV-St. Joseph, Jefferson City News Tribune, KMOX/MDW, Missourinet, Joplin Globe, Gasconade County Republican, Columbia Missourian and KRCG were given permission to take pictures in the Senate Chamber.

**MESSAGES FROM THE
SECRETARY OF STATE**

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 98th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 98th General Assembly (Second Regular Session) of the State of Missouri, elected at the November 6, 2012 General Election, and the November 4, 2014 General Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2016.

/s/ Jason Kander

(Seal)

SECRETARY OF STATE

MISSOURI STATE SENATORS

Elected November 6, 2012

District	Name
1st	Scott Sifton
3rd	Gary Romine
5th	Jamilah Nasheed
7th	Jason Holsman
9th	Shalonn (Kiki) Curls
**11th	vacant
13th	Gina Walsh
15th	Eric Schmitt
17th	Ryan Silvey
19th	Kurt Schaefer
21st	David Pearce
*23rd	vacant
25th	Doug Libla
27th	Wayne Wallingford
29th	David Sater
31st	Ed Emery
33rd	Mike Cunningham

*Senate District 23 is vacant due to the resignation of Senator Tom Dempsey.

**Senate District 11 is vacant due to the resignation of Senator Paul LeVota.

MISSOURI STATE SENATORS

Elected November 4, 2014

District	Name
2nd	Bob Onder
4th	Joseph (Joe) Keaveny
6th	Mike Kehoe
8th	Will Kraus
10th	Jeanie Riddle
12th	Dan Hegeman

14th	Maria N. Chappelle-Nadal
16th	Dan Brown
18th	Brian Munzlinger
20th	Jay Wasson
22nd	Paul Wieland
24th	Jill Schupp
26th	Dave Schatz
28th	Mike Parson
30th	Bob Dixon
32nd	Ron Richard
34th	Rob Schaaf

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—2

The Lieutenant Governor was present.

The President declared the Second Regular Session of the 98th General Assembly convened.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1179

BE IT RESOLVED, by the Senate of the Ninety-eighth General Assembly of Missouri, Second Regular Session, that the rules adopted by the Ninety-eighth General Assembly of the State of Missouri, First Regular Session, as amended, insofar as they are applicable, be adopted as the rules for the control of the deliberations of the Senate of the Ninety-eighth General Assembly, Second Regular Session.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1180

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-eighth General Assembly is duly convened and is now in session and ready for consideration of business.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Kehoe, the Senate recessed until 1:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Stephanie M. Allen, 3704 Christian Ridge, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2015, and until her successor is duly appointed and qualified; vice, RSMo. 324.063.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Stephanie M. Allen, 3704 Christian Ridge, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2018, and until her successor is duly appointed and qualified; vice, Stephanie M. Allen, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Daniel K. Atwill, 3300 West Arbor Way, Columbia, Boone County, Missouri 65203, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2018, and until his successor is duly appointed and qualified; vice, David C. Cramp, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Jack Baker, Democrat, 7972 Northeast State Highway H, Butler, Bates County, Missouri 64730, as a member of the Air Conservation Commission, for a term ending October 14, 2017, and until his successor is duly appointed and qualified; vice, Jack Baker, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Jason S. Bean, Republican, 25397 State Highway 153, Holcomb, Dunklin County, Missouri 63852, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2018, and until his successor is duly appointed and qualified; vice, John P. Howerton, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 28, 2015, while the Senate was not in session.

Donald C. Bedell, Republican, 1404 North Main Street, Sikeston, Scott County, Missouri 63801, as a member of the Conservation Commission, for a term ending June 30, 2021, and until his successor is duly appointed and qualified; vice, Donald C. Bedell, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Amy Beechner-McCarthy, 12278 Cedar Grove Road, Rolla, Phelps County, Missouri 65401, as a member of the Children's Trust Fund Board, for a term ending September 15, 2017, and until her successor is duly appointed and qualified; vice, Lynne M. Cooper, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Justin M. Bennett, 121 Donnally Street, Apartment 16, Leadington, Saint Francois County, Missouri 63601, as a member of the State Committee for Social Workers, for a term ending October 23, 2019, and until his successor is duly appointed and qualified; vice, Jenise M. Comer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Brett W. Berri, 800 East McCarty Street, Jefferson City, Cole County, Missouri 65101, as a member of the Administrative Hearing Commission, for a term ending July 20, 2021, and until his successor is duly appointed and qualified; vice, Alana M. Barragan-Scott, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 11, 2015, while the Senate was not in session.

Stephen Douglas Bonney, 5542 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Board of Geologist Registration, for a term ending April 11, 2018, and until his successor is duly appointed and qualified; vice, Elizabeth “Penny” Bennett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 9, 2015, while the Senate was not in session.

Oliver Glenn Boyer, 301 Ninth Street, Crystal City, Jefferson County, Missouri 63019, as a member of the Missouri Veterans’ Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Oliver Glenn Boyer, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

John W. Briscoe, Democrat, 209 South College Street, New London, Ralls County, Missouri 63459, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2021, and until his successor is duly appointed and qualified; vice, Lloyd Joseph Carmichael, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Stephanie D. Briscoe, 16 Hubbard Place, Lathrop, Clinton County, Missouri 64465, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2016 and until her successor is duly appointed and qualified; vice, Tracy M. Bono, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 8, 2015, while the Senate was not in session.

Phillip M. Britt, Democrat, 205 Gargas Drive, Kennett, Dunklin County, Missouri 63857, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2022, and until his successor is duly appointed and qualified; vice, Daren Todd, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 6, 2015, while the Senate was not in session.

Nancy J. Brody, Independent, 15332 Braefield Drive, Chesterfield, St. Louis County, Missouri 63017, as a member of the State Committee of Dietitians, for a term ending June 11, 2018, and until her successor is duly appointed and qualified; vice, Rita K. Duncan, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 6, 2015, while the Senate was not in session.

Mary A. Brown, Republican, 24110 Bob White Lane, Lee's Summit, Jackson County, Missouri 64086, as a member of the State Committee of Dietitians, for a term ending June 11, 2018, and until her successor is duly appointed and qualified; vice, Lois B. Kramer-Owens, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 11, 2015, while the Senate was not in session.

Andrew J. Burkemper, 7312 Wellington Avenue, Saint Louis, Saint Louis County, Missouri 63130, as a member of the Board of Geologist Registration, for a term ending April 11, 2016, and until his successor is duly appointed and qualified; vice, Gary J. Pendergrass, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Jeffrey D. Byrne, Democrat, 700 West 31st Street, Kansas City, Jackson County, Missouri 64108, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2019, and until his successor is duly appointed and qualified; vice, Bruce A. Olson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Archie Camden, Democrat, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2016, and until his successor is duly appointed and qualified; vice, Archie Camden, RSMo. 324.028.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 6, 2015, while the Senate was not in session.

Eric Cartwright, Independent, 3805 County Road 140, Kingdom City, Callaway County, Missouri 65262, as a member of the State Committee of Dietitians, for a term ending June 11, 2017, and until his successor is duly appointed and qualified; vice, Nolan McNeill, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 6, 2015, while the Senate was not in session.

Edward Clark, 5662 Hancock Avenue, Saint Louis City, Missouri 63139, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2016, and until his successor is duly appointed and qualified; vice, Gregory Wheelen, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 6, 2015, while the Senate was not in session.

Emanuel Cleaver III, 3600 Northwest Winding Woods Drive, Lee's Summit, Jackson County, Missouri 64064, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2017, and until his successor is duly appointed and qualified; vice, David P. Ballenger, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2015, while the Senate was not in session.

Maida J. Coleman, 2223 South Jefferson Avenue, Saint Louis City, Missouri 63104, as a member of the Public Service Commission, for a term ending August 10, 2021, and until her successor is duly appointed and qualified; vice, Robert Kenney, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

Sherry Cooper, 15368 Braefield Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, for a term ending August 18, 2018 and until her successor is duly appointed and qualified; vice, Sherry Cooper, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Jacque A. Cowherd, Independent, 3402 Tanglewood Way, Fulton, Callaway County, Missouri 65251, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2017, and until his successor is duly appointed and qualified; vice, Nadia T. Cavner, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Laura A. Crandall, Republican, 6 Windsor Lane, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Truman State University Board of Governors, for a term ending January 1, 2019, and until her successor is duly appointed and qualified; vice, Matthew W. Potter, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2015, while the Senate was not in session.

Melba J. Curls, Democrat, 3832 Myrtle Avenue, Kansas City, Jackson County, Missouri 64128, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2017, and until her successor is duly appointed and qualified; vice, Hope Whitehead, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 15, 2015, while the Senate was not in session.

Jeanenne M. Dallas, 3437 Cambridge Avenue, Maplewood, Saint Louis County, Missouri 63143, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2015, and until her successor is duly appointed and qualified; vice, David J. Lackey, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Jeanenne M. Dallas, 3437 Cambridge Avenue, Maplewood, Saint Louis County, Missouri 63143, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2018, and until her successor is duly appointed and qualified; vice, Jeanenne M. Dallas, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Jennifer Dameron, Democrat, 11518 Wornall Road, Kansas City, Jackson County, Missouri 64114, as a member of the Truman State University Board of Governors, for a term ending January 1, 2020, and until her successor is duly appointed and qualified; vice, Karen S. Haber, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Eric Dirks, Democrat, 1250 West 67th Terrace, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until his successor is duly appointed and qualified; vice, Vernon Dawdy, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Douglas B. Drysdale, Independent, 249 Merlot Lane, Saint Albans, Franklin County, Missouri 63073, as a member of the Air Conservation Commission, for a term ending October 14, 2017, and until his successor is duly appointed and qualified; vice, Michelle R. Bernth, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2015, while the Senate was not in session.

Gary D. Dusenberg, Republican, 1608 Northwest Willowbrook Drive, Blue Springs, Jackson County, Missouri 64015, as a member of the Board of Probation and Parole for a term ending November 25, 2021, and until his successor is duly appointed and qualified; vice, Dennis D. Fowler, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Frederick T. Dyer, Republican, 210 East Governor Place, Saint Charles, Saint Charles County, Missouri 63301, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2019, and until his successor is duly appointed and qualified; vice, Frederick T. Dyer, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Scott C. Englund, 1320 Roseview Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Scott Englund, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 30, 2015, while the Senate was not in session.

Ashton N. Frank, 2101 B Walz Court, Jefferson City, Cole County, Missouri 65101, as a member of the Advisory Commission for Dental Hygienists, for a term ending March 22, 2019, and until her successor is duly appointed and qualified; vice, Nancy S. Maus, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2015, while the Senate was not in session.

Michael L. Franks, Democrat, 3101 Lusk Drive, Suite 112, Box 184, Neosho, Newton County, Missouri 64850, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2021, and until his successor is duly appointed and qualified; vice, Rodney Anderson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 8, 2015, while the Senate was not in session.

Edward P. Gargas, Republican, 11439 South Lakeview Drive, Dexter, Stoddard County, Missouri 63841, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2022, and until his successor is duly appointed and qualified; vice, Doyle L. Privett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Mark S. Garnett, Democrat, 10363 County Road 9510, West Plains, Howell County, Missouri 65775, as a member of the Air Conservation Commission, for a term ending October 14, 2018, and until his successor is duly appointed and qualified; vice, Mark S. Garnett, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Michael L. Gerdine, 3865 Flora Place, St. Louis, St. Louis County, Missouri 63110, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2017, and until his successor is duly appointed and qualified; vice, William A. Markland, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Gabriel E. Gore, Democrat, 5066 Westminster Place, Saint Louis City, Missouri 63108, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2021, and until his successor is duly appointed and qualified; vice, Orvin T. Kimbrough, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

William W. Gratz, 2315 Route M, Wardsville, Cole County, Missouri 65101, as a member of the Missouri Real Estate Commission, for a term ending October 16, 2015, and until his successor is duly appointed and qualified; vice, Doris J. Carlin, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 5, 2016, while the Senate was not in session.

William W. Gratz, 2315 Route M, Wardsville, Cole County, Missouri 65101, as a member of the Missouri Real Estate Commission, for a term ending October 16, 2018 and until his successor is duly appointed and qualified; vice, William W. Gratz, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

James L. Greer, 5502 Dalcross Drive, Columbia, Boone County, Missouri 65203, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees, for a term ending February 6, 2017, and until his successor is duly appointed and qualified; vice, Melvin F. Schebaum, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2015, while the Senate was not in session.

Jennifer S. Griffin, 2615 Lakeland Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2019, and until her successor is duly appointed and qualified; vice, Gretchen C. Lockett, resigned.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 13, 2015, while the Senate was not in session.

Rochelle L. Harris, 5542 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Missouri State Committee of Interpreters, for a term ending October 9, 2017, and until her successor is duly appointed and qualified; vice, RSMo. 209.319.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 30, 2015, while the Senate was not in session.

Marsha E. Henderson, 2045 Honeysuckle Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Advisory Commission for Dental Hygienists, for a term ending March 22, 2020, and until her successor is duly appointed and qualified; vice, Deborah K. Polc, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

Alison R. Hersheve, Democrat, 3902 Old Orchard Road, Joplin, Newton County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2020, and until her successor is duly appointed and qualified; vice, Sherry L. Buchanan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2015, while the Senate was not in session.

Anne K. Heyen, 507 Eagle Lake Drive, Ashland, Boone County, Missouri 65010, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2018, and until her successor is duly appointed and qualified; vice, Kelly J. Scott, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 6, 2015, while the Senate was not in session.

Jeffery A. Hughley Jr., 9808 Harvard Avenue, Kansas City, Jackson County, Missouri 64134, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2016, and until his successor is duly appointed and qualified; vice, Richard Inglima, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 8, 2015, while the Senate was not in session.

Derek B. Hunter, Republican, 1115 North Chelmsworth, Springfield, Greene County, Missouri 65802, as a member of Missouri Health Facilities Review Committee, for a term ending January 1, 2016 and until his successor is duly appointed and qualified; vice, Rory Ellinger, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Derek B. Hunter, Republican, 1115 North Chelmsworth, Springfield, Greene County, Missouri 65802, as a member of Missouri Health Facilities Review Committee, for a term ending January 1, 2018 and until his successor is duly appointed and qualified; vice, Derek B. Hunter, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 13, 2015, while the Senate was not in session.

Judith B. Huntsman, 2057 Kahler Court, Springfield, Greene County, Missouri 65804, as a member of the Missouri Real Estate Commission, for a term ending October 16, 2016, and until her successor is duly appointed and qualified; vice, Twila G. Hillme, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

John R. (Jack) Jones, Democrat, 2409 Lynnwood Drive, Columbia, Boone County, Missouri 65203, as a member of the Air Conservation Commission, for a term ending October 14, 2019, and until his successor is duly appointed and qualified; vice, Ronald D. Boyer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Marilou Joyner, Democrat, 3663 Madison Avenue, Kansas City, Jackson County, Missouri 64111, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, Mark H. Hargens, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 6, 2015, while the Senate was not in session.

Charles A. Juden III, 614 Laurelwood, Sikeston, Scott County, Missouri 63801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2015, and until his successor is duly appointed and qualified; vice, Lane Roberts, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 6, 2015, while the Senate was not in session.

Charles A. Juden III, 614 Laurelwood, Sikeston, Scott County, Missouri 63801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2018, and until his successor is duly appointed and qualified; vice, Charles A. Juden III, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2015, while the Senate was not in session.

Garry Kemp, Democrat, 2514 Northwest Windwood Drive, Lee's Summit, Jackson County, Missouri 64081, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2020, and until his successor is duly appointed and qualified; vice, Garry Kemp, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2015, while the Senate was not in session.

Douglas R. Kennedy, Democrat, 616 Pine Cone Road, Poplar Bluff, Butler County, Missouri 63901, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2021, and until his successor is duly appointed and qualified; vice, Douglas R. Kennedy, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Frances L. Klahr, 411 Brookwood Court, Jefferson City, Cole County, Missouri 65109, as a member of the State Committee for Social Workers, for a term ending October 23, 2017, and until her successor is duly appointed and qualified; vice, Jane Overton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 15, 2015, while the Senate was not in session.

Heather A. Koch, 2929 South Running Deer Court, Columbia, Boone County, Missouri 65201, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2016, and until her successor is duly appointed and qualified; vice, Nicole Cozean, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 20, 2015, while the Senate was not in session.

Herbert M. Kohn, Democrat, 5049 Wornall Road, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Leland M. Shurin, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Douglas R. Lang, 6824 Bonnie Avenue, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Board of Pharmacy, for a term ending July 20, 2020, and until his successor is duly appointed and qualified; vice, Janine M. Burkett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Rachell M. LaRose, 3595 Southeast Old Barn Lane, Holt, Clinton County, Missouri 64048, as a member of the State Committee for Social Workers, for a term ending October 23, 2019, and until her successor is duly appointed and qualified; vice, RSMo. 337.622.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2015, while the Senate was not in session.

Richard F. Lombardo, Democrat, 1221 West 59th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Gaming Commission, for a term ending April 29, 2018, and until his successor is duly appointed and qualified; vice, Diane Campbell Howard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Mary A. Long, Democrat, 6500 East 108th Street, Kansas City, Jackson County, Missouri 64134, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2017, and until her successor is duly appointed and qualified; vice, Mary A. Long, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

Paul M. Maloney, Republican, 5823 Delor, Saint Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Paul M. Maloney, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 8, 2015, while the Senate was not in session.

Timothy W. Martin, Independent, 22048 County Road 780, Bernie, Stoddard County, Missouri 63822, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2018, and until his successor is duly appointed and qualified; vice, Thomas Bradley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Sarah M. Martin-Anderson, Independent, 380 West 22nd Street #611, Kansas City, Jackson County, Missouri 64108, as a member of The State Board of Registration for the Healing Arts, for a term ending September 3, 2018, and until her successor is duly appointed and qualified; vice, Kevin O'Malley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 30, 2015, while the Senate was not in session.

Nancy S. Maus, 12826 West State Highway TT, Republic, Greene County, Missouri 65738, as a member of the Missouri Dental Board, for a term ending January 10, 2019, and until her successor is duly appointed and qualified; vice, Deborah Polc, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2015, while the Senate was not in session.

Kenneth G. McGhee, Democrat, 111 Taylor Road, Hazelwood, Saint Louis County, Missouri 63042, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2019, and until his successor is duly appointed and qualified; vice, James K. Reinhard, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2015, while the Senate was not in session.

Ellis McSwain Jr., Democrat, 2905 Sue Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Board of Probation and Parole for a term ending November 25, 2021, and until his successor is duly appointed and qualified; vice, Ellis McSwain Jr., reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2015, while the Senate was not in session.

Beverly Miller, Democrat, 406 Bluebird Lane, Lebanon, Laclede County, Missouri 65536, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, Beverly Miller, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2015, while the Senate was not in session.

Jennifer T. Morgan, 19500 East Bundschu Road, Independence, Jackson County, Missouri 64056, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2018, and until her successor is duly appointed and qualified; vice, Jennifer Morgan, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2015, while the Senate was not in session.

Brandy M. Mouser, 18461 Lake Circle Drive, Dexter, Stoddard County, Missouri 63841, as a member of the Board of Therapeutic Massage, for a term ending June 17, 2017, and until her successor is duly appointed and qualified; vice, Brandy Mouser, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Blake A. Naughton, 1201 Hulen Drive, Columbia, Boone County, Missouri 65203, as a member of the State Committee of Psychologists, for a term ending August 28, 2016, and until his successor is duly appointed and qualified; vice, Lyle S. Rosburg, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Mary E. Nelson, Democrat, 4100 Laclede Avenue, Apartment 202, Saint Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until her successor is duly appointed and qualified; vice, Bryan T. Scott, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 30, 2015, while the Senate was not in session.

Erika L. O'Malley, 10065 Locust Road, Carthage, Jasper County, Missouri 64836, as a member of the Advisory Commission for Dental Hygienists, for a term ending March 22, 2016, and until her successor is duly appointed and qualified; vice, Debra A. Adams, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Anita Y. Oplotnik, Democrat, 4625 East Farm Road 52, Fair Grove, Greene County, Missouri 65648, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2021, and until her successor is duly appointed and qualified; vice, Lynn M. Ewing, III, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Elyn G. Potter, 820 North Main Street, Independence, Jackson County, Missouri 64050, as a member of the Board of Geologist Registration, for a term ending April 11, 2016, and until her successor is duly appointed and qualified; vice, John L. Bognar, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Deborah L. Price, Democrat, 1520 Washington Avenue, Apartment 419, Saint Louis City, Missouri 63103, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2018, and until her successor is duly appointed and qualified; vice, Arteveld J. McCoy II, withdrawn.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 29, 2015, while the Senate was not in session.

Jason C. Ramsey, 3201 Crawford Street, Columbia, Boone County, Missouri 65203, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2017, and until his successor is duly appointed and qualified; vice, Jennifer L. Kneib, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

John A. Scherr, Democrat, 201 Greengate Drive, Lake Saint Louis, Saint Charles County, Missouri 63367, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2017, and until his successor is duly appointed and qualified; vice, Joseph G. McCulloch, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 4, 2015, while the Senate was not in session.

Mary P. Seigfreid, 2622 Teal Lake Place, Mexico, Audrain County, Missouri 65265, as a member of the Mental Health Commission, for a term ending June 28, 2017, and until her successor is duly appointed and qualified; vice, Neva G. Thurston, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Leland M. Shurin, 411 West 46th Terrace, Kansas City, Jackson County, Missouri 64112, as a member of the Kansas City Board of Police Commissioners, for a term ending January 6, 2018, and until his successor is duly appointed and qualified; vice, Michael Kilgore, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2015, while the Senate was not in session.

Deborah J. Smith, Democrat, 12100 Victory Drive, Country Club Village, Andrew County, Missouri 64505, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2020, and until her successor is duly appointed and qualified; vice, Deborah J. Smith, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Richard N. Smith, Republican, 24007 East Highway H, Coffey, Harrison County, Missouri 64636, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Douglas A. Wyckoff, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 13, 2015, while the Senate was not in session.

Yvonne S. Sparks, Democrat, 1906 Kennett Place, Saint Louis City, Missouri 63104, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, Mary E. Nelson, withdrawn.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 13, 2015, while the Senate was not in session.

Gregory V. Spears, Republican, 2231 Martha Lane, Greenwood, Jackson County, Missouri 64034, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Stephen Bough, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Joel Todd Spencer, 3521 South Outer Belt Road, Oak Grove, Jackson County, Missouri 64075, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2019, and until his successor is duly appointed and qualified; vice, Neal E. Boyd, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2015, while the Senate was not in session.

Regina M. Staves, 12200 Cherry Street, Kansas City, Jackson County, Missouri 64145, as a member of the Committee for Professional Counselors, for a term ending August 28, 2016, and until her successor is duly appointed and qualified; vice, Craig Miner, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 29, 2015, while the Senate was not in session.

Michala Stoker, 8119 Northeast 97th Street, Kansas City, Clay County, Missouri 64157, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2020, and until her successor is duly appointed and qualified; vice, Ronald J. Walkenbach, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made the State Mental Health Commission on July 1, 2015, while the Senate was not in session.

Mark Stringer, 1204 Field Haven Drive, Jefferson City, Cole County, Missouri 65101, as the Director of the Department of Mental Health, for a term ending at the pleasure of the State Mental Health Commission and until his successor is duly appointed and qualified; vice, Charles Keith Schafer, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

Christian S. Tadrus, 8 Westwood Place, Moberly, Randolph County, Missouri 65270, as a member of the State Board of Pharmacy, for a term ending June 10, 2020, and until his successor is duly appointed and qualified; vice, Melissa DeLine Graham, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 5, 2015, while the Senate was not in session.

Carrie Tergin, Republican, 1003 Emily Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2021, and until her successor is duly elected or appointed and qualified; vice, Carrie Tergin (Carroll), reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

William R. Thiel, Independent, 26249 Durango Avenue, Marshall, Saline County, Missouri 65340, as a member of the Missouri Agricultural and Small Business Development Authority, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Steven Martin, resigned.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Tjitske G. Tubbergen-Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the State Committee for Social Workers, for a term ending October 23, 2017, and until her successor is duly appointed and qualified; vice, Laura M. Neal, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2015, while the Senate was not in session.

Jane E. Walton, 1613 Madison Avenue, Kansas City, Jackson County, Missouri 64108, as a member of the Interior Design Council, for a term ending April 6, 2019, and until her successor is duly appointed and qualified; vice, RSMo. 324.406.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 6, 2015, while the Senate was not in session.

Paul F. Williams, 2263 East Spring Hill Road, Springfield, Greene County, Missouri 65804, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2017, and until his successor is duly appointed and qualified; vice, Daniel Isom, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2015, while the Senate was not in session.

Paul F. Woody, Democrat, 1022 Sherbrooke Road, Saint Charles, Saint Charles County, Missouri 63303, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2020, and until his successor is duly appointed and qualified; vice, Roger L. Pryor, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 11, 2015, while the Senate was not in session.

Jeffrey M. Wright, 5822 Northeast 284th Street, Turney, Clinton County, Missouri 64493, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until his successor is duly appointed and qualified; vice, Stacey L. Dujakovich, withdrawn.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65012

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 5, 2016, while the Senate was not in session.

Jeffrey M. Wright, 5822 Northeast 284th Street, Turney, Clinton County, Missouri 64493, as a member of the Children's Trust Fund Board, for a term ending September 15, 2018, and until his successor is duly appointed and qualified; vice, Jeffrey M. Wright, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 11, 2015, while the Senate was not in session.

Marvin Wright, 5005 Durham Chase, Columbia, Boone County, Missouri 65203, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2019, and until his successor is duly appointed and qualified; vice, Marvin Wright, reappointed.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 21, 2015, while the Senate was not in session.

Yvonne R. Wright, 9866 Dogwood Trail, New Bloomfield, Callaway County, Missouri 65063, as the Chair of the Governor's Council on Disability, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Karen L. Benson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65012

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

Yvonne R. Wright, 9866 Dogwood Trail, New Bloomfield, Callaway County, Missouri 65063, as the Chair of the Governor's Council on Disability, for a term ending October 1, 2019, and until her successor is duly appointed and qualified; vice, Yvonne R. Wright, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 29, 2015, while the Senate was not in session.

T'Shon Young, 3953 Jost Farm Way, Florissant, St. Louis County, Missouri 63034, as a member of the Organ Donation Advisory Committee, for a term ending December 12, 2015, and until her successor is duly appointed and qualified; vice, David E. Gurian, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2016, while the Senate was not in session.

T'Shon Young, 3953 Jost Farm Way, Florissant, St. Louis County, Missouri 63034, as a member of the Organ Donation Advisory Committee, for a term ending December 12, 2020, and until her successor is duly appointed and qualified; vice, T'Shon Young, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 6, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 25, 2015, while the Senate was not in session.

Jennifer M. Zamkus, Democrat, 5113 Sharon Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Board of Probation and Parole for a term ending November 25, 2021, and until her successor is duly appointed and qualified; vice, Charles R. Pryor, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

FIRST READING OF PRE-FILED SENATE BILLS

As provided by Chapter 21, RSMo, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 569—By Pearce.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to text messaging while operating motor vehicles.

SB 570—By Pearce.

An Act to repeal section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof three new sections relating to campaign finance, with an effective date and penalty provisions.

SB 571—By Pearce.

An Act to repeal sections 160.011, 161.092, 162.081, 162.1250, 163.011, 163.036, 167.131, and 167.241, RSMo, and to enact in lieu thereof twenty-four new sections relating to elementary and secondary education, with an emergency clause.

SB 572—By Schmitt.

An Act to repeal sections 479.350, 479.359, and 479.368, RSMo, and to enact in lieu thereof three new sections relating to municipal ordinance violations.

SB 573—By Schmitt.

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to investment policies of the state, with a referendum clause.

SB 574—By Schmitt.

An Act to repeal sections 143.011 and 143.022, RSMo, and to enact in lieu thereof two new sections relating to income taxes.

SB 575—By Schaefer.

An Act to repeal sections 92.111, 92.115, 92.120, and 92.125, RSMo, and to enact in lieu thereof one new section relating to the repeal of earnings taxes in certain cities.

SB 576—By Keaveny.

An Act to repeal sections 404.710, 456.023, 456.5-508, and 469.060, RSMo, and to enact in lieu thereof thirty-six new sections relating to powers of appointment.

SB 577—By Keaveny.

An Act to repeal sections 404.717, 456.590, 456.3-304, 456.4B-411, 456.7-706, 469.467, and 473.050, RSMo, and to enact in lieu thereof six new sections relating to estate planning.

SB 578—By Keaveny.

An Act to repeal sections 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-four new sections relating to commercial receiverships.

SB 579—By Schaaf, Brown and Onder.

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting, with existing penalty provisions.

SB 580—By Schaaf.

An Act to repeal section 67.657, RSMo, and to enact in lieu thereof one new section relating to bonds issued by the Regional Convention and Sports Complex Authority, with an emergency clause.

SB 581—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health care price transparency.

SB 582—By Munzlinger.

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

SB 583—By Munzlinger.

An Act to repeal section 172.100, RSMo, and to enact in lieu thereof one new section relating to instructional waivers for higher education faculty.

SB 584—By Munzlinger.

An Act to repeal section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, section 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

SB 585—By Wasson and Sater.

An Act to repeal sections 211.393, 478.170, 478.191, and 478.740, RSMo, and to enact in lieu thereof six new sections relating to the division of multicounty judicial circuits, with an emergency clause.

SB 586—By Wasson.

An Act to repeal section 163.011, RSMo, and to enact in lieu thereof one new section relating to state aid for schools, with an emergency clause.

SB 587—By Wasson.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

SB 588—By Dixon and Curls.

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records.

SB 589—By Dixon and Sater.

An Act to repeal section 571.107, RSMo, and to enact in lieu thereof one new section relating to the carrying of concealed firearms at higher education institutions, with existing penalty provisions.

SB 590—By Dixon.

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, and to enact in lieu thereof seven new sections relating to first degree murder, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

SB 591—By Parson.

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

SB 592—By Parson.

An Act to repeal section 171.031, RSMo, and to enact in lieu thereof one new section relating to the opening date for school terms.

SB 593—By Parson.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to applicability of federal regulations in the state of Missouri.

SB 594—By Kraus.

An Act to repeal sections 115.279, 115.290, 115.427, 115.430, 115.902, 115.906, and 115.914, RSMo, and to enact in lieu thereof seven new sections relating to voting procedures, with a contingent effective date.

SB 595—By Kraus.

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to construction management.

SB 596—By Kraus.

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to the definition of agricultural and horticultural property for purposes of taxation.

SB 597—By Brown.

An Act to repeal sections 115.125, 115.127, 115.317, 115.341, 115.363, 115.367, 115.373, and 115.381, RSMo, and to enact in lieu thereof seven new sections relating to special elections.

SB 598—By Brown.

An Act to repeal sections 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, and 290.340, RSMo, relating to public contracts, with a referendum clause.

SB 599—By Brown.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

SB 600—By Chappelle-Nadal.

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to hazardous waste, with a penalty provision.

SB 601—By Chappelle-Nadal.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof one new section relating to occupational diseases under workers' compensation laws.

SB 602—By Chappelle-Nadal.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for pet adoptions.

SB 603—By Curls.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to expungement of records.

SB 604—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to training provided to inmates in correctional centers.

SB 605—By Curls.

An Act to repeal sections 82.1025, 82.1027, and 82.1029, RSMo, and to enact in lieu thereof three new sections relating to property regulations in certain cities and counties.

SB 606—By Sater.

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof one new section relating to prevailing wage.

SB 607—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility data verification for public assistance programs.

SB 608—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to MO HealthNet health care provider fees.

SB 609—By Emery.

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to savings accounts for education, with penalty provisions.

SB 610—By Emery.

An Act to repeal sections 168.124 and 168.221, RSMo, and to enact in lieu thereof one new section relating to the employment of teachers in school districts.

SB 611—By Emery.

An Act to amend supreme court rule 55.03, for the purpose of modifying procedures for filing a motion for sanctions, with an effective date.

SB 612—By Cunningham.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions.

SB 613—By Cunningham, Schaefer and Wasson.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the provision of grants for the purpose of funding the workers' compensation premiums of volunteer fire departments.

SB 614—By Cunningham.

An Act to repeal section 311.310, RSMo, and to enact in lieu thereof one new section relating to penalties for allowing minors to possess intoxicating liquor, with penalty provisions and an effective date.

SB 615—By Silvey.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits, with an emergency clause.

SB 616—By Silvey.

An Act to repeal section 306.220, RSMo, and to enact in lieu thereof one new section relating to personal flotation devices, with an existing penalty provision.

SB 617—By Wallingford.

An Act to repeal sections 270.170, 270.270, 270.400, RSMo, section 270.260 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 270.260 as enacted by senate bill no. 795, ninety-fifth general assembly, second regular session, and to enact in lieu thereof four new sections relating to feral hogs, with penalty provisions.

SB 618—By Wallingford.

An Act to repeal sections 211.033, 211.071, 211.151, and 221.044, RSMo, and to enact in lieu thereof four new sections relating to the detention of persons under the age of seventeen in adult facilities, with an effective date for certain sections.

SB 619—By Wallingford.

An Act to repeal sections 192.2425 and 565.186, RSMo, and to enact in lieu thereof two new sections relating to investigations of elder abuse.

SB 620—By Romine.

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to career and technical education.

SB 621—By Romine.

An Act to repeal section 208.670, RSMo, and to enact in lieu thereof six new sections relating to telehealth.

SB 622—By Romine and Munzlinger.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to mine property.

SB 623—By Libla.

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes.

SB 624—By Libla.

An Act to repeal section 570.135 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to the offense of fraudulent procurement of a credit or debit device, with penalty provisions.

SB 625—By Walsh.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of "Sgt. Peggy Vassallo Way".

SB 626—By Nasheed.

An Act to repeal section 589.015 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 589.015 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to higher education requirements regarding affirmative consent to sexual activity.

SB 627—By Nasheed.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to suicide awareness and prevention.

SB 628—By Nasheed.

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to a requirement for peace officers to wear body-worn cameras.

SB 629—By Holsman.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to energy.

SB 630—By Holsman.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to community solar gardens.

SB 631—By Holsman.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to the use of solar energy systems in certain planned communities.

SB 632—By Sifton.

An Act to repeal sections 105.456 and 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to banning lobbyist gifts.

SB 633—By Sifton.

An Act to repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof forty-four new sections relating to elementary and secondary education, with an emergency clause.

SB 634—By Sifton.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

SB 635—By Hegeman.

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to palliative care.

SB 636—By Hegeman.

An Act to repeal section 191.237, RSMo, and to enact in lieu thereof three new sections relating to health information organizations.

SB 637—By Hegeman.

An Act to repeal section 233.180, RSMo, and to enact in lieu thereof one new section relating to special road district commissioner elections.

SB 638—By Riddle.

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

SB 639—By Riddle.

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

SB 640—By Schatz.

An Act to repeal section 301.067, RSMo, and to enact in lieu thereof one new section relating to permanent trailer plate registration.

SB 641—By Schatz.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a deduction for compensation payments for agricultural losses.

SB 642—By Schatz.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to tax rates.

SB 643—By Onder.

An Act to repeal section 105.456 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, and to enact in lieu thereof two new sections relating to ethics.

SB 644—By Onder.

An Act to repeal sections 188.036, 188.047, 188.080, 197.215, and 197.230, RSMo, and to enact in lieu thereof five new sections relating to abortion, with existing penalty provisions.

SB 645—By Onder.

An Act to repeal section 144.700, RSMo, and to enact in lieu thereof one new section relating to the use of sales and use tax revenues for transportation.

SB 646—By Schupp.

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

SB 647–By Schupp.

An Act to repeal sections 367.515, 408.100, 408.500, 408.505, and 408.510, and to enact in lieu thereof six new sections relating to consumer credit interest rates, with a penalty provision and a referendum clause.

SB 648–By Schupp.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 649–By Pearce.

An Act to repeal section 173.250, RSMo, and to enact in lieu thereof one new section relating to the higher education academic scholarship program, with an effective date.

SB 650–By Pearce.

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid eligibility, with an emergency clause.

SB 651–By Keaveny.

An Act to repeal sections 163.011 and 163.018, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education, with an emergency clause.

SB 652–By Keaveny.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to requiring the state auditor to report on the costs of administering the death penalty.

SB 653–By Keaveny.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

SB 654–By Schaaf.

An Act to repeal section 197.318, RSMo, and to enact in lieu thereof one new section relating to certificates of need for long-term care facilities.

SB 655–By Munzlinger.

An Act to repeal sections 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, and 266.347, RSMo, and to enact in lieu thereof six new sections relating to the establishment of the fertilizer control board.

SB 656–By Munzlinger.

An Act to repeal sections 571.101 and 571.104, RSMo, and to enact in lieu thereof two new sections relating to concealed carry permits, with existing penalty provisions and an emergency clause for a certain section.

SB 657–By Munzlinger.

An Act to repeal sections 319.114, 414.036, and 414.255, RSMo, and to enact in lieu thereof three new sections relating to liability for the use of incompatible motor fuel.

SB 658—By Wasson.

An Act to repeal section 541.033, RSMo, and to enact in lieu thereof one new section relating to the county in which certain offenses are prosecuted.

SB 659—By Wasson.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

SB 660—By Wasson.

An Act to repeal section 110.140, RSMo, and to enact in lieu thereof one new section relating to bidding procedures for county depositaries, with a penalty provision.

SB 661—By Dixon.

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of deadly force by law enforcement officers, with an emergency clause for a certain section and an effective date for a certain section.

SB 662—By Dixon.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

SB 663—By Dixon.

An Act to repeal sections 192.2260, 192.2405, 217.360, 301.559, 339.100, 400.9-501, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, and section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and to enact in lieu thereof twenty-six new sections relating to the sole purpose of restructuring the Missouri criminal code, with penalty provisions, and an effective date.

SB 664—By Parson.

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration reports for farm corporations.

SB 665—By Parson.

An Act to repeal section 261.235, RSMo, and to enact in lieu thereof one new section relating to the establishment of a fee structure for sellers electing to use the AgriMissouri trademark associated with Missouri agricultural products.

SB 666—By Parson.

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the amendment of bills in the general assembly.

SB 667—By Brown.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 668—By Brown.

An Act to repeal section 105.525, RSMo, and to enact in lieu thereof one new section relating to collective bargaining representatives, with a referendum clause.

SB 669—By Brown and Richard.

An Act to repeal sections 253.040, 253.090, 253.402, 256.465, 256.616, 256.635, 256.637, 256.700, 256.705, 259.052, 259.080, 259.190, 260.115, 260.203, 260.205, 260.262, 260.270, 260.273, 260.330, 260.380, 260.390, 260.391, 260.392, 260.395, 260.475, 260.569, 260.750, 260.900, 260.905, 260.920, 260.925, 260.935, 260.940, 260.945, 260.955, 444.370, 444.540, 444.580, 444.650, 444.730, 444.740, 444.768, 444.770, 444.772, 444.775, 444.782, 444.820, 444.870, 444.960, 444.965, 444.970, 640.220, 640.740, 640.745, and 640.747, RSMo, and to enact in lieu thereof fifty-four new sections relating to the transfer of certain funds administered by the department of natural resources to general revenue, with existing penalty provisions.

SB 670—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SB 671—By Chappelle-Nadal.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to racial bias in policing.

SB 672—By Chappelle-Nadal.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to instruction in human sexuality and sexually transmitted infections.

SB 673—By Curls.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to a tax credit for purchase of blighted homes.

SB 674—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

SB 675—By Curls.

An Act to repeal sections 441.500, 441.510, 441.570, 441.590, 441.600, and 441.641, RSMo, and to enact in lieu thereof six new sections relating to residential property receivership.

SB 676—By Sater.

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

SB 677—By Sater.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

SB 678—By Emery.

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders, with an expiration date.

SB 679—By Emery.

An Act to repeal sections 52.010, 54.040, 54.330, and 473.730, RSMo, and to enact in lieu thereof four new sections relating to bond requirements for certain county candidates.

SB 680—By Emery.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to retirement benefits for elected officials.

SB 681—By Cunningham.

An Act to repeal section 217.722, RSMo, and to enact in lieu thereof one new section relating to probation violations.

SB 682—By Cunningham.

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to land purchases made on behalf of departments of the state.

SB 683—By Cunningham.

An Act to repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to the removal of a property tax exemption for real property belonging to the Missouri department of natural resources.

SB 684—By Wallingford.

An Act to repeal section 211.073, RSMo, and to enact in lieu thereof one new section relating to requirements of the court in certain juvenile criminal cases.

SB 685—By Wallingford.

An Act to repeal sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, and 211.431, RSMo, and to enact in lieu thereof seventeen new sections relating to juvenile courts, with penalty provisions.

SB 686—By Wallingford.

An Act to repeal section 88.700, RSMo, and to enact in lieu thereof one new section relating to protests of road improvements in cities of the fourth classification.

SB 687—By Romine.

An Act to repeal section 393.300, RSMo, and to enact in lieu thereof one new section relating to the requirement for electrical corporations to itemize the cost of complying with certain environmental standards on customer bills.

SB 688—By Romine.

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

SB 689—By Romine.

An Act to repeal section 217.360 and section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof two new sections relating to a prohibition on certain telecommunications items being possessed in correctional facilities, with penalty provisions.

SB 690—By Nasheed.

An Act to amend chapter 135, RSMo, by adding thereto three new sections relating to a low-income housing tax credit for veterans.

SB 691—By Nasheed.

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to a reporting requirement for lost or stolen firearms.

SB 692—By Nasheed.

An Act to repeal section 135.352, RSMo, and to enact in lieu thereof one new section relating to the maximum authorization on low-income housing tax credits.

SB 693—By Holsman.

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

SB 694—By Holsman.

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to the operation of motorcycles and motortricycles.

SB 695—By Sifton.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 696—By Sifton.

An Act to repeal sections 516.371 and 537.046, RSMo, section 556.036 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 556.036 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 556.037 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.037 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to statutes of limitations for certain offenses against a child, with existing penalty provisions.

SB 697—By Sifton.

An Act to amend chapter 161, RSMo, by adding thereto four new sections relating to relationships between families and school staff.

SB 698—By Hegeman.

An Act to repeal section 473.730, RSMo, and to enact in lieu thereof one new section relating to the bonding requirements of public administrators.

SB 699—By Hegeman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for donations to community foundations.

SB 700—By Schatz.

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation premium rates.

SB 701—By Schatz.

An Act to repeal section 49.060, RSMo, and to enact in lieu thereof one new section relating to vacancies in the office of county commissioner, with an emergency clause.

SB 702—By Munzlinger.

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with existing penalty provisions.

SB 703—By Munzlinger.

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

SB 704—By Munzlinger.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the transparency and accountability of public funds.

SB 705—By Dixon.

An Act to repeal sections 600.042 and 600.090, RSMo, and to enact in lieu thereof two new sections relating to the state public defender system.

SB 706—By Dixon.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions, with an effective date.

SB 707—By Dixon.

An Act to repeal sections 1.020, 56.010, 56.060, 56.066, 56.067, 56.265, 56.363, 56.640, 56.700, 56.805, 56.807, 56.816, 70.010, 70.050, 70.060, 70.070, and 70.090, RSMo, and to enact in lieu thereof nineteen new sections relating to prosecuting attorneys, with a penalty provision.

SB 708—By Parson.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for motor vehicles.

SB 709—By Parson.

An Act to repeal section 135.700, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wine production.

SB 710—By Parson.

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing, with a penalty provision.

SB 711—By Brown.

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

SB 712—By Chappelle-Nadal.

An Act to repeal sections 173.1102, 173.1103, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education financial aid.

SB 713—By Chappelle-Nadal.

An Act to amend chapter 170, RSMo, by adding thereto four new sections relating to violence prevention education in elementary and secondary schools.

SB 714—By Chappelle-Nadal.

An Act to repeal section 161.022, RSMo, and to enact in lieu thereof one new section relating to term limits for state board of education members.

SB 715—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 716—By Curls.

An Act to repeal sections 50.340, 95.535, 204.628, 407.935, 428.019, 442.018, 443.290, 443.300, 443.310, 443.320, 443.325, 443.327, 443.355, 443.380, 443.390, 443.410, 448.080, 448.3-116, 456.003, 493.055, 493.100, and 516.150, RSMo, and to enact in lieu thereof twelve new sections relating to nonjudicial foreclosure proceedings.

SB 717—By Curls.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security deposits.

SB 718—By Emery.

An Act to repeal sections 106.030, 106.040, 106.070, 106.080, 106.090, 106.100, 106.110, 106.120, 106.130, 106.150, 106.160, 106.170, 106.180, 106.200, and 106.210, RSMo, and to enact in lieu thereof twelve new sections relating to impeachment trials, with a contingent effective date.

SB 719—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to simplified annual school report cards.

SB 720—By Emery.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to the physical privacy of students.

SB 721—By Romine.

An Act to repeal sections 578.005, 578.007, and 578.011, RSMo, and to enact in lieu thereof three new sections relating to the offense of animal or livestock trespass, with penalty provisions.

SB 722—By Romine.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the governor's authority to make certain conveyances of state property.

SB 723—By Romine.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to natural resource damages.

SB 724—By Nasheed.

An Act to repeal section 213.055, RSMo, and to enact in lieu thereof one new section relating to criminal history inquiries of applicants for employment.

SB 725—By Nasheed.

An Act to repeal sections 290.080, 290.502, 290.512, and 290.527, RSMo, and to enact in lieu thereof four new sections relating to wages paid to employees, with a referendum clause.

SB 726—By Nasheed.

An Act to repeal section 544.190, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60,

seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of deadly force by law enforcement officers, with an emergency clause for certain sections and an effective date for a certain section.

SB 727—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the reporting of data and scores of neglected children and delinquent children.

SB 728—By Sifton.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school antibullying policies.

SB 729—By Sifton.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses.

SB 730—By Munzlinger.

An Act to repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political parties, with an emergency clause.

SB 731—By Munzlinger.

An Act to repeal section 571.107, RSMo, and to enact in lieu thereof two new sections relating to the carrying of concealed firearms at higher education institutions, with existing penalty provisions.

SB 732—By Munzlinger.

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to an emergency training program for broadcasters.

SB 733—By Dixon.

An Act to repeal sections 478.430 and 478.433, RSMo, and to enact in lieu thereof one new section relating to judicial personnel.

SB 734—By Dixon.

An Act to repeal section 57.111, RSMo, and to enact in lieu thereof one new section relating to the authority of sheriffs and deputy sheriffs to render assistance in other counties.

SB 735—By Dixon.

An Act to repeal section 600.101, RSMo, and to enact in lieu thereof one new section relating to office space for the state public defender.

SB 736—By Parson.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

SB 737—By Parson.

An Act to repeal sections 621.145 and 621.189, RSMo, and to enact in lieu thereof seven new sections relating to the board of administrative appeals.

SB 738—By Parson.

An Act to repeal section 143.1016, RSMo, and to enact in lieu thereof one new section relating to the organ donor program fund.

SB 739—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to firearms, with penalty provisions.

SB 740—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to weapons, with penalty provisions.

SB 741—By Chappelle-Nadal.

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to actions committed by government officials, with an emergency clause for a certain section and an effective date for a certain section.

SB 742—By Curls.

An Act to amend chapter 82, RSMo, by adding thereto one new section relating to abandoned real property in certain cities.

SB 743—By Curls.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security deposits held by landlords.

SB 744—By Curls.

An Act to repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

SB 745—By Romine.

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices.

SB 746—By Romine and Kehoe.

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to arbitration agreements between employers and at-will employees.

SB 747—By Nasheed.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to reading instruction and student promotion.

SB 748—By Nasheed.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to antibullying policies.

SB 749—By Sifton.

An Act to repeal sections 115.275, 115.279, and 115.291, RSMo, and to enact in lieu thereof three new sections relating to absentee voting for emergency workers, with an emergency clause.

SB 750—By Sifton.

An Act to repeal section 115.155, RSMo, section 115.631 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 115.631 as enacted by senate bills nos. 1014 & 730, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to election offenses, with penalty provisions.

SB 751—By Sifton.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card entry event tickets, with a penalty provision.

SB 752—By Munzlinger.

An Act to repeal sections 195.070, 334.037, 334.104, and 334.747, RSMo, and to enact in lieu thereof four new sections relating to prescriptive authority.

SB 753—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for early childhood education programs, with penalty provisions.

SB 754—Withdrawn.**SB 755**—By Chappelle-Nadal.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to a federally guaranteed right to vote, with a referendum clause.

SB 756—By Chappelle-Nadal.

An Act to amend chapter 130, RSMo, by adding thereto five new sections relating to publicly-financed elections.

SB 757—By Chappelle-Nadal.

An Act to repeal sections 115.133, 115.135, 115.137, 115.140, 115.225, 115.237, 115.275, and 115.427, RSMo, section 130.028 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 130.028 as enacted by senate bill no. 650, eighty-seventh general assembly, second regular session, and section 130.028 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof twelve new sections relating to elections, with penalty provisions.

SB 758—By Chappelle-Nadal.

An Act to repeal section 565.035 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 565.035 as enacted by senate bill no. 448, eighty-second general assembly, second regular session, RSMo, and to enact in lieu thereof two new sections relating to racial considerations in death penalty cases.

SB 759—By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence, with a penalty provision.

SB 760—by Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

SB 761—By Chappelle-Nadal.

An Act to repeal section 513.605, RSMo, section 195.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.140 as enacted by house bill no. 1427, ninety-second general assembly, second regular session, and to enact in lieu thereof two new sections relating to forfeitures for violations of the controlled substance laws.

SB 762—By Chappelle-Nadal.

An Act to repeal sections 144.020, 144.021, and 144.030, RSMo, section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof thirty-three new sections relating to marijuana, with penalty provisions.

SB 763—By Chappelle-Nadal.

An Act to repeal section 44.100, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof six new sections relating to law enforcement officers, with a penalty provision.

SB 764—By Chappelle-Nadal.

An Act to repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.1250, 163.011, 163.018, 163.031, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof fifty-one new sections relating to elementary and secondary education, with an emergency clause.

SB 765—By Schmitt.

An Act to repeal section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof one new section relating to misconduct in the administration of justice, with an existing penalty provision.

SB 766—By Schmitt.

An Act to repeal section 29.200, RSMo, and to enact in lieu thereof one new section relating to audits of higher education institutions.

SB 767—By Schmitt.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to curriculum for degrees offered by public colleges and universities.

SB 768–By Schaaf.

An Act to repeal section 195.015 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, section 195.050 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.050 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring program, with penalty provisions and a referendum clause.

SB 769–By Munzlinger.

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to the prohibition of political subdivisions to regulate certain topical agricultural products.

SB 770–Withdrawn.**SB 771**–By Onder.

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof two new sections relating to elections.

SB 772–By Onder.

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof two new sections relating to physician licensure.

SB 773–By Onder.

An Act to amend chapter 324, RSMo, by adding thereto ten new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

SB 774–By Schmitt.

An Act to repeal section 105.010, RSMo, and to enact in lieu thereof two new sections relating to gubernatorial appointments.

SB 775–By Schaefer.

An Act to repeal section 565.032, RSMo, and to enact in lieu thereof one new section relating to statutory aggravating circumstances for murder in the first degree.

SB 776–By Schaaf.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.315, 197.318, 197.325, 197.330, 197.335, 197.340, 197.345, 197.355, 197.357, 197.366, and 197.367, RSMo, section 197.326 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 197.326 as enacted by senate bills nos. 573 & 634, eighty-sixth general assembly, second regular session, and to enact in lieu thereof fifteen new sections relating to certificate of need for long-term care facilities, with existing penalty provisions.

SB 777–By Munzlinger.

An Act to repeal sections 173.1101, 173.1102, 173.1104, 173.1105, and 173.1107, RSMo, and to enact in lieu thereof five new sections relating to higher education financial aid.

SB 778—By Wallingford.

An Act to repeal section 354.603, RSMo, and to enact in lieu thereof one new section relating to the accreditation of managed care plans.

SB 779—By Wieland.

An Act to repeal section 354.415, RSMo, and to enact in lieu thereof one new section relating to health maintenance organizations.

SB 780—By Wieland.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to self-service storage facilities.

SB 781—By Schatz.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to design-build contracts.

SB 782—By Onder.

An Act to repeal sections 70.441, 571.107, 577.703, 577.712, 578.305, and 578.320, RSMo, and to enact in lieu thereof six new sections relating to the carrying of firearms on public transportation systems, with existing penalty provisions.

SB 783—By Onder.

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

SB 784—By Onder.

An Act to amend chapter 144.058, RSMo, by adding thereto one new section relating to a sales tax exemption for electricity.

SB 785—By Schaefer.

An Act to amend chapter 436, RSMo, by adding thereto ten new sections relating to the civil litigation funding act.

SB 786—By Kraus.

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to the prosecution of election offenses.

SB 787—By Kraus.

An Act to repeal section 115.105, RSMo, and to enact in lieu thereof one new section relating to election challengers.

SB 788—By Schatz.

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

SB 789—By Wasson.

An Act to amend chapter 67, RSMo, by adding thereto three new sections relating to construction management.

SB 790—By Parson.

An Act to repeal section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to stealing, with penalty provisions.

SB 791—By Parson.

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

SB 792—By Richard.

An Act to repeal section 537.762, RSMo, and to enact in lieu thereof one new section relating to products liability civil actions.

SB 793—By Richard.

An Act to repeal sections 407.025 and 537.762, RSMo, and to enact in lieu thereof four new sections relating to civil actions.

SB 794—By Wallingford.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption on parts and accessories for medical equipment.

SB 795—By Wallingford.

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, and 238.410, RSMo, and to enact in lieu thereof sixty-seven new sections relating to the implementation of the streamlined sales and use tax agreement, with penalty provisions and an effective date.

SB 796—By Romine.

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the submission of a state plan to the Environmental Protection Agency, with an emergency clause.

SB 797—By Pearce.

An Act to amend chapters 311 and 577, RSMo, by adding thereto two new sections relating to powdered alcohol, with a penalty provision and an emergency clause.

SB 798—By Kraus.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to attorneys' fees in proceedings regarding the assessment of income taxes.

SB 799—By Kraus.

An Act to repeal sections 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to business fees, with an existing penalty provision.

SB 800—By Sater, Sifton, Keaveny, Nasheed, Walsh and Dixon.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Meet in Missouri act.

SB 801—By Sater.

An Act to amend chapters 210 and 475, RSMo, by adding thereto four new sections relating to guardianships.

SB 802—By Sater.

An Act to repeal sections 188.015 and 188.052, RSMo, and to enact in lieu thereof three new sections relating to a ban on abortions for Down Syndrome.

SB 803—By Sifton.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to leave from employment.

SB 804—By Onder.

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, and to enact in lieu thereof four new sections relating to sexual trafficking of a child, with penalty provisions.

SB 805—By Onder.

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

SB 806—By Onder.

An Act to amend chapter 105, RSMo, by adding thereto six new sections relating to public employee labor organizations.

SB 807—By Schupp.

An Act to repeal section 130.044 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating to ethics reform.

SB 808—By Schupp.

An Act to repeal section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second

regular session, and to enact in lieu thereof two new sections relating to disclosure requirements to the ethics commission, with an effective date and penalty provisions.

SB 809—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the management of dyslexia and related disorders in public schools.

SB 810—By Schmitt.

An Act to repeal section 67.792, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

SB 811—By Kraus.

An Act to repeal sections 542.400, 542.406, 542.410, 542.412, 542.414, 542.416, 542.418, 542.420, RSMo, section 542.402 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 542.402 as enacted by senate bill no. 712, ninety-first general assembly, second regular session, and to enact in lieu thereof ten new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

SB 812—By Keaveny.

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to the law library surcharge.

SB 813—By Brown.

An Act to amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to the dispensing of opioid antagonist drugs.

SB 814—By Wallingford, Pearce and Kraus.

An Act to repeal section 41.950, RSMo, and to enact in lieu thereof one new section relating to income tax deductions for active duty military personnel.

SB 815—By Schmitt.

An Act to repeal section 135.800, RSMo, and to enact in lieu thereof one new section relating to tax incentives.

SB 816—By Wieland and Walsh.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.006, 565.020, 565.030, 565.032, and 565.040, RSMo, sections 565.004 and 565.035 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.004 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and section 565.035 as enacted by senate bill no. 448, eighty-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to repealing the death penalty, with penalty provisions.

SB 817—By Wieland.

An Act to repeal sections 150.470, 150.480, 150.490, 150.500, 150.510, 150.520, 150.530, and 150.540, RSMo, relating to peddlers' licenses and taxes.

SB 818—By Schatz and Riddle.

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

SB 819—By Schupp.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mandatory influenza vaccinations, with penalty provisions.

SB 820—By Schupp.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to safety belts, with a penalty provision.

SB 821—By Schupp.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to text messaging while operating motor vehicles.

SB 822—By Keaveny.

An Act to repeal sections 192.945, 195.207, and 261.265, RSMo, and to enact in lieu thereof four new sections relating to hemp extract.

SB 823—By Kraus.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax on internet access.

SB 824—By Schatz.

An Act to amend chapter 393, RSMo, by adding thereto seven new sections relating to electrical corporation energy efficiency.

SB 825—By Munzlinger.

An Act to repeal section 142.029, RSMo, relating to the Missouri qualified fuel ethanol producer incentive fund, with an emergency clause.

SB 826—By Wallingford.

An Act to repeal sections 195.070, 334.104, 335.016, 335.019, 335.046, 335.056, 335.086, 338.198, section 195.100 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.100 as enacted by senate bill no. 296, ninety-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof nine new sections relating to professional nursing.

SB 827—By Sifton.

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to dyslexia.

SB 828—By Sifton.

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to the preparation of property descriptions.

SB 829—By Wasson.

An Act to amend chapters 324 and 621, RSMo, by adding thereto two new sections relating to the regulation of previously unregulated professions.

SB 830—By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to fees for optometric and ophthalmic services.

SB 831—By Wasson.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to procedures for applying, renewing, and paying for professional licensure.

SB 832—By Wallingford.

An Act to repeal sections 274.170, 274.190, 347.055, 347.160, 347.179, 347.740, 351.049, 351.065, 351.120, 351.122, 351.125, 351.127, 351.522, 351.576, 351.657, 351.658, 351.1015, 351.1018, 351.1213, 355.011, 355.021, 355.023, 355.703, 355.857, 356.211, 356.233, 357.010, 357.030, 357.060, 358.440, 358.460, 358.470, 358.501, 359.145, 359.531, 359.641, 359.651, 359.653, 392.010, 417.016, 417.018, 417.021, 417.026, 417.031, 417.170, 417.175, and 417.220, RSMo, and to enact in lieu thereof forty-six new sections relating to business filing fees collected by the secretary of state, with an existing penalty provision.

SB 833—By Nasheed.

An Act to amend chapter 408, RSMo, by adding thereto four new sections relating to savings promotions programs.

SB 834—By Sifton.

An Act to amend chapter 94, RSMo, by adding thereto one new section relating to a sales tax for a certain county to be used for law enforcement purposes.

SB 835—By Wasson.

An Act to repeal section 335.203, RSMo, and to enact in lieu thereof one new section relating to the nursing education incentive program.

SB 836—By Wasson.

An Act to repeal section 336.020, RSMo, and to enact in lieu thereof one new section relating to students in accredited optometry schools.

SB 837—By Schmitt.

An Act to repeal section 479.372, RSMo, and to enact in lieu thereof one new section relating to municipal courts.

SB 838—By Silvey and Walsh.

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to the transfer of wireless telephone numbers.

SB 839—By Wallingford.

An Act to repeal sections 340.210, 340.212, and 340.214, RSMo, and to enact in lieu thereof eleven new sections relating to certified euthanasia technicians.

SB 840—By Keaveny.

An Act to repeal sections 473.097 and 473.100, RSMo, and to enact in lieu thereof two new sections relating to the administration of small probate estates.

SB 841—By Keaveny.

An Act to repeal sections 456.1-103 and 456.8-808, RSMo, and to enact in lieu thereof two new sections relating to the powers of trust protectors.

SB 842—By Keaveny.

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to eyewitness identification procedures, with an effective date.

SB 843—By Schaaf.

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to prescription drugs.

SB 844—By Parson.

An Act to repeal sections 272.030 and 272.230, RSMo, and to enact in lieu thereof one new section relating to livestock trespass.

SB 845—By Parson.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to certificates of need for long-term care facilities.

SB 846—By Parson.

An Act to repeal section 50.565, RSMo, and to enact in lieu thereof one new section relating to the county law enforcement restitution fund.

SB 847—By Emery and Richard.

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

SB 848—By Emery.

An Act to repeal section 386.266, RSMo, and to enact in lieu thereof two new sections relating to rate schedules authorized for certain utilities outside of general rate proceedings.

SB 849—By Onder and Kehoe.

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to ratemaking for gas corporations.

SB 850—By Schupp.

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof two new sections relating to child care facilities, with penalty provisions.

SJR 16—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri relating to the Missouri anti-corruption amendment.

SJR 17—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 37 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to long-term leasing.

SJR 18—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(d) and 32 of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to state highways.

SJR 19—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

SJR 20—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

SJR 21—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

SJR 22—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the creation of show-me small business districts.

SJR 23—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 50 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to initiative petitions.

SJR 24—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

SJR 25—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

SJR 26—By Silvey.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9, of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the Missouri general assembly.

SJR 27—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri, by adding thereto three new sections relating to ethics.

SJR 28—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to members of the general assembly.

SJR 29—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article 1 of the Constitution of Missouri, by adding thereto one new section relating to a right to access medical marijuana.

SJR 30—By Hegeman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 25(a) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the nonpartisan court plan.

SJR 31—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VI of the Constitution of Missouri, by adding thereto one new section relating to a recall election for the St. Louis county executive.

SJR 32—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 20(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to passage of bills in a regular session of the general assembly.

SJR 33—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the state budget.

SJR 34—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 37 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to long-term leasing.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 851—By Brown.

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

SB 852—By Brown.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Trooper Gary Snodgrass Memorial Bridge.

SB 853—By Brown.

An Act to repeal section 376.1235, RSMo, and to enact in lieu thereof one new section relating to insurance coverage for occupational therapy services.

SB 854—By Brown.

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

SB 855—By Pearce.

An Act to repeal section 173.234, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid for families of military members, with an emergency clause.

SB 856—By Silvey.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

SB 857—By Romine.

An Act to repeal section 173.1103, RSMo, and to enact in lieu thereof one new section relating to reimbursements for dual credit courses.

SB 858—By Romine.

An Act To amend chapter 643, RSMo, by adding thereto one new section relating to the submission of a state plan to the Environmental Protection Agency, with an emergency clause.

SB 859—By Munzlinger.

An Act to repeal section 311.205, RSMo, and to enact in lieu thereof one new section relating to controlled liquor self-dispensing systems.

SB 860—By Riddle.

An Act to repeal section 476.083, RSMo, and to enact in lieu thereof one new section relating to circuit court marshals.

SB 861—By Wieland.

An Act to repeal section 68.120, RSMo, and to enact in lieu thereof six new sections relating to transportation facilities, with an expiration date for a certain section.

SB 862—By Wieland.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to self-service storage facilities.

SB 863—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto five new sections relating to unclaimed life insurance benefits.

SB 864—By Sater.

An Act to repeal section 338.200, RSMo, and to enact in lieu thereof one new section relating to the dispensing of an emergency supply of medication.

SB 865—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to notification of adverse action against a licensee to the board of pharmacy.

SB 866—By Sater.

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof two new sections relating to the renewal of licenses issued by the board of pharmacy.

SB 867—By Sater.

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to county road district consolidation.

Senator Onder assumed the Chair.

RESOLUTIONS

Senator Richard offered the following resolution:

SENATE RESOLUTION NO. 1181

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Thirty-second District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

Be It Resolved by the Senate of the Ninety-eighth General Assembly, Second Regular Session, that Senate Rules 16 and 96, be amended to read as follows:

“Rule 16. Stenographers and reporters wishing to take down the debates and proceedings of the senate may be admitted by the president pro tem to the reporters’ table on the floor of the senate for that purpose, and under such further regulations as the senate may prescribe, but no persons, including members of the senate, other than members of the press, shall be permitted to sit at the press table while the senate is in session. Beginning March 29, 2016, reporters wishing to view the debates and proceedings of the senate shall do so from a space reserved for reporters in the fourth floor gallery and shall no longer have access to the reporters’ table on the floor of the senate. The reporters’ table shall henceforth be known as the “staff table” and shall be available to Senators’ staff and senate staff while the senate is in session.

Rule 96. 1. Laptop computers may be used by [the press at the press table and by] Senators’ staff and senate staff at the staff table and by the research staff at the research table in the Senate Chamber as long as their use does not violate Rule 78 or is otherwise disruptive to the

business of the Senate. No person shall take any photograph in the Senate Gallery. Persons with cameras, flash cameras, lights, or other paraphernalia may be allowed to use such devices at committee meetings with the permission of the Chairman as long as they do not prove disruptive to the decorum of the committee. Smoking is not permissible in the Senate Chamber or Gallery, the Kirchoff Gallery, the Pershing Gallery, the Bingham Gallery, committee rooms, lounge, the hallways, restrooms or elevators.

2. For the purpose of compliance with the Americans with Disabilities Act, the President Pro Tem may designate a portion of the Senate Chamber as handicap accessible and such areas shall not be considered a part of the floor of the Senate for the purposes of section 21.420, RSMo. Persons using such area shall not lobby members of the Senate while going to and from or while using the designated area.”.

CONCURRENT RESOLUTIONS

On behalf of Senator Curls, Senator Kehoe offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 42

Whereas, neuroblastoma is a type of cancer that forms in the sympathetic nervous system of infants and young children; and

Whereas, neuroblastoma is a very serious childhood disease which is responsible for 12% of all cancer deaths in children under 15 years of age, accounts for about 7% of all cancers in children, and is the most common type of cancer among infants; and

Whereas, there are roughly 650 new cases of neuroblastoma each year in the United States causing a child to die every 16 hours from the disease; and

Whereas, the National Cancer Institute spends less than 3% of its budget and the American Cancer Society directs less than 2% of its research dollars towards pediatric cancer; and

Whereas, pediatric AIDS research receives four times more funding than childhood cancer even though childhood cancer is 20 times more prevalent; and

Whereas, physicians frequently face major challenges in diagnosing neuroblastoma because the symptoms are very similar to more common and less serious childhood illnesses, which results in delayed diagnosis; and

Whereas, by the time neuroblastoma is diagnosed, in roughly two out of three cases the disease has already spread to other parts of the body; and

Whereas, the children suffering from neuroblastoma often undergo treatment involving chemotherapy as well as surgery, and experience prolonged painful symptoms; and

Whereas, the families of children with neuroblastoma must deal with the potential of losing their child while at the same time face out of pocket expenses to treat childhood cancer of roughly \$40,000 a year, even with insurance coverage; and

Whereas, those suffering from neuroblastoma deserve recognition and support in their battle against this painful and deadly disease:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby declare November 14, 2016, as Neuroblastoma Cancer Awareness Day.

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 43

Whereas, the Missouri State Capitol is the people’s building; and

Whereas, the Constitution of the state of Missouri affirms the right of the people to petition their elected officials; and

Whereas, the members of the General Assembly have noted the continuing need for increased space in the State Capitol building for the citizens of this state, including those with physical disabilities, to exercise fully this right and meet with their elected representatives; and

Whereas, currently, a sizeable number of legislative offices are located in physical spaces that cannot be accessed by those citizens with physical disabilities; and

Whereas, statewide elected officers and other entities currently occupy physical space in the State Capitol building for job duties that could be performed in other state-owned buildings; and

Whereas, in order to ensure accessibility to the State Capitol building for all citizens of this state and accommodate the needs of the public, it is necessary to reallocate, for use by the General Assembly, physical space currently utilized by certain statewide elected officers and other entities listed in this resolution; and

Whereas, section 8.010, RSMo, establishes the Board of Public Buildings and grants it general supervision and charge of the public property of the state at the seat of government; and

Whereas, subsection 1 of section 8.460, RSMo, states “The board of public buildings may build an office building in the City of Jefferson to house state offices which are presently located in rented quarters within the county of Cole, and they shall remove as many offices from the State Capitol building as the General Assembly deems necessary to provide adequate space for its members”; and

Whereas, the General Assembly is duty bound to investigate the appropriate space needs of the members of the General Assembly in the State Capitol building in order to demand the Board of Public Buildings to remove the appropriate number of offices from the State Capitol building;

Now Therefore Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the “Joint Committee on Capitol Improvements” to examine the appropriate space needs of the General Assembly, certain statewide elected officers, and other entities within the State Capitol building; and

Be it further resolved that the Joint Committee on Capitol Improvements shall be composed of the President Pro Tempore of the Senate, the Speaker of the House of the Representatives, two members of the Senate appointed by the President Pro Tempore of the Senate, two members of the House of Representatives appointed by the Speaker of the House; one member of the Senate appointed by the Senate Minority Leader, and one member of the House of Representatives appointed by the House Minority Leader. The President Pro Tempore and the Speaker of the House shall be co-chairpersons of the Committee. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as one or both of the chairpersons designate; and

Be it further resolved that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate and the Committee on Legislative Research; and

Be it further resolved that the Joint Committee may prepare a final report, together with its recommendations for any demands for reallocation of space within the State Capitol building to the Board of Public Buildings pursuant to subsection 1 of section 8.460, RSMo, for submission to the General Assembly by December 31, 2016, at which time the Joint Committee shall be dissolved; and

Be it further resolved that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

Be it further resolved that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingent Fund; and

Be it further resolved that the Joint Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-eighth General Assembly and the First Regular Session of the Ninety-ninth General Assembly through December 31, 2016, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957).

Senator Dixon offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 44

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on

the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

Senator Dixon offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 45

Relating to the publishing of the Revised Statutes of Missouri.

Whereas, Article III, Section 34 of the Missouri Constitution requires that "... at least every ten years... all general statute laws shall be revised, digested and promulgated as provided by law"; and

Whereas, the Revised Statutes of Missouri have not been republished since 2000; and

Whereas, on May 13, 2015, a motion was passed by the Joint Committee on Legislative Research to republish the Revised Statutes of Missouri following the 2016 legislative session; and

Whereas, Section 3.010, RSMo, requires the adoption of a concurrent resolution by the general assembly authorizing the printing, publishing and distribution of the Revised Statutes of Missouri:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the republication of the Revised Statutes of Missouri following the 2016 legislative session in compliance with Article III, Section 34 of the Missouri Constitution; and

Be It Further Resolved that the Joint Committee on Legislative Research and the Revisor of Statutes shall comply with the provisions of Chapter 3, RSMo, for the republication of the Revised Statutes of Missouri authorized in this resolution.

Read 1st time.

Senator Schmitt offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 46

An act by concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range.

Whereas, the Department of Health and Senior Services filed a proposed rule 19 CSR 15-8.410 on December 26, 2014, and filed the order of rulemaking with the Joint Committee on Administrative Rules on May 1, 2015; and

Whereas, the Joint Committee on Administrative Rules held a hearing on May 12, 2015, and has found 19 CSR 15-8.410, lacking in compliance with the provisions of Chapter 536, RSMo;

Now Therefore Be It Resolved the General Assembly finds that the Department of Health and Senior Services has violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of sections 536.014, 536.200, 536.205, 536.300, and 536.303, RSMo; and

Be It Further Resolved that the Ninety-eighth General Assembly, Second Regular Session, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range; and

Be It Further Resolved that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for the proposed rule 19 CSR 15-8.410, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-eighth General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

Be It Further Resolved that a properly inscribed copy be presented to the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

Read 1st time.

Senator Chappelle-Nadal offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 47

Whereas, the economic competitiveness of the United States and the state of Missouri in the global economy, requires a well-educated workforce;

Whereas, students in Missouri currently average \$25,844 in student loan debt upon graduation, which significantly hinders their ability to participate in the local economy;

Whereas, current and future young people in the United States and Missouri should have the same opportunity offered to those who went to college in previous generations, including the ability to attend State colleges and universities without taking on burdensome debt;

Whereas, at this point in time, higher education is more important than ever as it is an essential step to entering and remaining in the middle class;

Whereas, because of the importance of higher education, the United States and the state of Missouri should expand the opportunity to pursue and attain higher education to more people than had that opportunity in the past;

Whereas, public investment in higher education pays off, as evidenced by the fact the G.I. Bill resulted in a 7-to-1 return on investment for our national economy and that workers with college degrees earn more money, pay more taxes, and rely less on government services;

Whereas, student loan debt saddles the very students who most depend on a college degree to level the economic playing field with a burden that constrains career choices and hurts the credit rating of students, prevents people from fully participating in the economy by purchasing goods and services, and threatens essential milestones of the American dream - including the purchase of a home or car, starting a family, and saving for retirement; and

Whereas, the Schatz-Schumer-Warren U.S. Senate debt-free college resolution and the Grijalva-Ellison-Clark U.S. House debt-free college resolution have gained national momentum in recent months, and have become central in the national dialogue around higher education; and

Whereas, a national goal of debt-free college would include significant federal aid to states, including Missouri:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby supports efforts to enact national legislation that:

- (1) Ensures all students have access to debt-free higher education, defined to mean having no debt upon graduation from any public institutions of higher education;
- (2) Increases support to States so States can increase investments in higher education and bring down costs for students;
- (3) Increases aid to students to help them cover the total cost of college attendance without taking on debt;
- (4) Encourages innovation by States and institutions of higher education to increase efficiency, lower costs, and enable speedy and less-costly degree completion; and
- (5) Reduces the burden of existing student loan debt; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

Senator Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 48

Relating to October as Domestic Violence Awareness Month in Missouri.

WHEREAS, domestic violence is a pattern of coercion and physical, emotional, and financial abuse often perpetrated by an intimate partner; and

WHEREAS, in the United States, an average of twenty-four men and women per minute suffered an incident of rape, stalking, or physical violence by an intimate partner; and

WHEREAS, one in three women will experience some form of domestic violence in their lives; and

WHEREAS, in the United States, over fifteen million children are exposed to incidents of domestic violence; and

WHEREAS, national domestic violence hotlines receive over twenty-three thousand calls every day; and

WHEREAS, in Missouri, over forty-one thousand incidents of domestic violence were reported in 2012, seventy-six of which resulted in homicide; and

WHEREAS, domestic violence is one of the most under-reported crimes; and

WHEREAS, the widespread silence and stigma surrounding domestic violence leads to a cycle of fear and shame that affects not only the victim, but the victim's family and the broader community; and

WHEREAS, the establishment of Domestic Violence Awareness Month would provide an appropriate venue to communicate an important message to the public about the extent of domestic violence and the existence of community programs and other resources to aid those in need:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize each year the month of October as "Domestic Violence Awareness Month"; and

BE IT FURTHER RESOLVED that the citizens of Missouri are encourage to participate in appropriate activities such as wearing the color purple to raise awareness of domestic violence; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 49

Relating to recognition of May as Mental Health Awareness Month in Missouri

WHEREAS, one in five American adults and children have a diagnosable mental illness each year; and

WHEREAS, nearly one in twenty-five adults live with a serious mental illness; and

WHEREAS, half of all mental illnesses begin by the age of fourteen and three-quarters begin by the age of twenty-four; and

WHEREAS, seventy percent of youth in the juvenile justice system have mental illnesses; and

WHEREAS, nearly sixty percent of adults and nearly fifty percent of youth do not receive mental health treatment; and

WHEREAS, untreated mental illnesses contribute to unemployment, disability, homelessness, incarceration, substance abuse, and suicide; and

WHEREAS, early identification and treatment of mental illnesses has proven to be vital to the recovery process; and

WHEREAS, the stigma associated with mental illness prevents many individuals from seeking necessary treatment; and

WHEREAS, the establishment of Mental Health Awareness Month would provide an appropriate venue to communicate an important message to the public about importance of mental health treatment and recovery; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives, concurring therein, hereby recognize each year the month of May as "Mental Health Awareness Month"; and

BE IT FURTHER RESOLVED that the citizens of Missouri are encouraged to participate in appropriate activities such as wearing the color green to raise awareness of mental health; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 50

Relating to recognition of September as Suicide Prevention Awareness Month in Missouri

WHEREAS, in the United States, suicide is the second leading cause of death among 15 to 24-year olds and the tenth leading cause of death overall; and

WHEREAS, in the United States, one suicide occurs on average every 12.8 minutes; and

WHEREAS, in the United States, over one million people attempt suicide each year, and nearly five million people are survivors of a suicide of a loved one or friend; and

WHEREAS, in 2013, the number of suicides in Missouri more than doubled the number of homicides; and

WHEREAS, the suicide rate in Missouri outpaces the national suicide rate; and

WHEREAS, suicide prevention awareness programs have been shown to reduce the stigma associated with suicide and develop broad community support for suicide prevention; and

WHEREAS, the establishment of Suicide Prevention Awareness Month would provide an appropriate venue to communicate an important message to the public about the extent of this serious public health concern and the existence of community and mental health programs available to aid those in need:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby recognize each year the month of September as “Suicide Prevention Awareness Month”; and

BE IT FURTHER RESOLVED that the citizens of Missouri are encouraged to participate in appropriate activities such as wearing turquoise and purple ribbons to raise awareness of suicide prevention; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Kraus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 51

Relating to the disapproval of the Missouri State Tax Commission’s recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Whereas, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

Whereas, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 29, 2015, propose a value for each of the eight grades of agricultural and horticultural land for the 2017 and 2018 assessment years, with changes to grades 1 through 4; and

Whereas, the members of the General Assembly believe that the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural grades beyond the level which the General Assembly considers to be fair and reasonable; and

Whereas, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby disapprove the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

Read 1st time.

Senator Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 52

Relating to the disapproval of the Missouri State Tax Commission’s recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Whereas, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

Whereas, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 29, 2015, propose a value for each of the eight grades of agricultural and horticultural land for the 2017 and 2018 assessment years, with changes to grades 1 through 4; and

Whereas, the members of the General Assembly believe that the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural grades beyond the level which the General Assembly considers to be fair and reasonable; and

Whereas, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby disapprove the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

Read 1st time.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-eighth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 55**.

HOUSE CONCURRENT RESOLUTION NO. 55

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 20, 2016, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-eighth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 56**.

HOUSE CONCURRENT RESOLUTION NO. 56

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 27, 2016, to receive a message from the Honorable Patricia Breckenridge, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-eighth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 868—By Wasson.

An Act to repeal section 376.1237, RSMo, and to enact in lieu thereof one new section relating to prescription eye drops.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, his wife, Patty.

Senator Pearce introduced to the Senate, Travis Leader, University of Central Missouri, Warrensburg.

On behalf of Senator Romine and himself, Senator Pearce introduced to the Senate, Megan Keck, Cole Camp.

Senator Brown introduced to the Senate, his wife, Kathy, his son, Justin Brown and his daughter, Danette Sherrell, Rolla; and Clark Harrison, St. James.

Senator Libla introduced to the Senate, Herman Styles, Poplar Bluff; and Ashley Bax, Westphalia.

Senator Chappelle-Nadal introduced to the Senate, former State Senator Rita Days, Bel-Nor.

Senator Schupp introduced to the Senate, Kaitlyn Burke, Truman State University, Kirksville.

Senator Munzlinger introduced to the Senate, Emily Harrison, Truman State University, Kirksville.

Senator Wallingford introduced to the Senate, his wife, Suzy.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY—THURSDAY, JANUARY 7, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 569-Pearce	SB 601-Chappelle-Nadal
SB 570-Pearce	SB 602-Chappelle-Nadal
SB 571-Pearce	SB 603-Curls
SB 572-Schmitt	SB 604-Curls
SB 573-Schmitt	SB 605-Curls
SB 574-Schmitt	SB 606-Sater
SB 575-Schaefer	SB 607-Sater
SB 576-Keaveny	SB 608-Sater
SB 577-Keaveny	SB 609-Emery
SB 578-Keaveny	SB 610-Emery
SB 579-Schaaf, et al	SB 611-Emery
SB 580-Schaaf	SB 612-Cunningham
SB 581-Schaaf	SB 613-Cunningham, et al
SB 582-Munzlinger	SB 614-Cunningham
SB 583-Munzlinger	SB 615-Silvey
SB 584-Munzlinger	SB 616-Silvey
SB 585-Wasson and Sater	SB 617-Wallingford
SB 586-Wasson	SB 618-Wallingford
SB 587-Wasson	SB 619-Wallingford
SB 588-Dixon and Curls	SB 620-Romine
SB 589-Dixon and Sater	SB 621-Romine
SB 590-Dixon	SB 622-Romine and Munzlinger
SB 591-Parson	SB 623-Libla
SB 592-Parson	SB 624-Libla
SB 593-Parson	SB 625-Walsh
SB 594-Kraus	SB 626-Nasheed
SB 595-Kraus	SB 627-Nasheed
SB 596-Kraus	SB 628-Nasheed
SB 597-Brown	SB 629-Holsman
SB 598-Brown	SB 630-Holsman
SB 599-Brown	SB 631-Holsman
SB 600-Chappelle-Nadal	SB 632-Sifton

SB 633-Sifton	SB 677-Sater
SB 634-Sifton	SB 678-Emery
SB 635-Hegeman	SB 679-Emery
SB 636-Hegeman	SB 680-Emery
SB 637-Hegeman	SB 681-Cunningham
SB 638-Riddle	SB 682-Cunningham
SB 639-Riddle	SB 683-Cunningham
SB 640-Schatz	SB 684-Wallingford
SB 641-Schatz	SB 685-Wallingford
SB 642-Schatz	SB 686-Wallingford
SB 643-Onder	SB 687-Romine
SB 644-Onder	SB 688-Romine
SB 645-Onder	SB 689-Romine
SB 646-Schupp	SB 690-Nasheed
SB 647-Schupp	SB 691-Nasheed
SB 648-Schupp	SB 692-Nasheed
SB 649-Pearce	SB 693-Holsman
SB 650-Pearce	SB 694-Holsman
SB 651-Keaveny	SB 695-Sifton
SB 652-Keaveny	SB 696-Sifton
SB 653-Keaveny	SB 697-Sifton
SB 654-Schaaf	SB 698-Hegeman
SB 655-Munzlinger	SB 699-Hegeman
SB 656-Munzlinger	SB 700-Schatz
SB 657-Munzlinger	SB 701-Schatz
SB 658-Wasson	SB 702-Munzlinger
SB 659-Wasson	SB 703-Munzlinger
SB 660-Wasson	SB 704-Munzlinger
SB 661-Dixon	SB 705-Dixon
SB 662-Dixon	SB 706-Dixon
SB 663-Dixon	SB 707-Dixon
SB 664-Parson	SB 708-Parson
SB 665-Parson	SB 709-Parson
SB 666-Parson	SB 710-Parson
SB 667-Brown	SB 711-Brown
SB 668-Brown	SB 712-Chappelle-Nadal
SB 669-Brown and Richard	SB 713-Chappelle-Nadal
SB 670-Chappelle-Nadal	SB 714-Chappelle-Nadal
SB 671-Chappelle-Nadal	SB 715-Curls
SB 672-Chappelle-Nadal	SB 716-Curls
SB 673-Curls	SB 717-Curls
SB 674-Curls	SB 718-Emery
SB 675-Curls	SB 719-Emery
SB 676-Sater	SB 720-Emery

SB 721-Romine	SB 766-Schmitt
SB 722-Romine	SB 767-Schmitt
SB 723-Romine	SB 768-Schaaf
SB 724-Nasheed	SB 769-Munzlinger
SB 725-Nasheed	SB 771-Onder
SB 726-Nasheed	SB 772-Onder
SB 727-Sifton	SB 773-Onder
SB 728-Sifton	SB 774-Schmitt
SB 729-Sifton	SB 775-Schaefer
SB 730-Munzlinger	SB 776-Schaaf
SB 731-Munzlinger	SB 777-Munzlinger
SB 732-Munzlinger	SB 778-Wallingford
SB 733-Dixon	SB 779-Wieland
SB 734-Dixon	SB 780-Wieland
SB 735-Dixon	SB 781-Schatz
SB 736-Parson	SB 782-Onder
SB 737-Parson	SB 783-Onder
SB 738-Parson	SB 784-Onder
SB 739-Chappelle-Nadal	SB 785-Schaefer
SB 740-Chappelle-Nadal	SB 786-Kraus
SB 741-Chappelle-Nadal	SB 787-Kraus
SB 742-Curls	SB 788-Schatz
SB 743-Curls	SB 789-Wasson
SB 744-Curls	SB 790-Parson
SB 745-Romine	SB 791-Parson
SB 746-Romine and Kehoe	SB 792-Richard
SB 747-Nasheed	SB 793-Richard
SB 748-Nasheed	SB 794-Wallingford
SB 749-Sifton	SB 795-Wallingford
SB 750-Sifton	SB 796-Romine
SB 751-Sifton	SB 797-Pearce
SB 752-Munzlinger	SB 798-Kraus
SB 753-Dixon	SB 799-Kraus
SB 755-Chappelle-Nadal	SB 800-Sater, et al
SB 756-Chappelle-Nadal	SB 801-Sater
SB 757-Chappelle-Nadal	SB 802-Sater
SB 758-Chappelle-Nadal	SB 803-Sifton
SB 759-Chappelle-Nadal	SB 804-Onder
SB 760-Chappelle-Nadal	SB 805-Onder
SB 761-Chappelle-Nadal	SB 806-Onder
SB 762-Chappelle-Nadal	SB 807-Schupp
SB 763-Chappelle-Nadal	SB 808-Schupp
SB 764-Chappelle-Nadal	SB 809-Sifton
SB 765-Schmitt	SB 810-Schmitt

SB 811-Kraus	SB 850-Schupp
SB 812-Keaveny	SB 851-Brown
SB 813-Brown	SB 852-Brown
SB 814-Wallingford, et al	SB 853-Brown
SB 815-Schmitt	SB 854-Brown
SB 816-Wieland and Walsh	SB 855-Pearce
SB 817-Wieland	SB 856-Silvey
SB 818-Schatz and Riddle	SB 857-Romine
SB 819-Schupp	SB 858-Romine
SB 820-Schupp	SB 859-Munzlinger
SB 821-Schupp	SB 860-Riddle
SB 822-Keaveny	SB 861-Wieland
SB 823-Kraus	SB 862-Wieland
SB 824-Schatz	SB 863-Wieland
SB 825-Munzlinger	SB 864-Sater
SB 826-Wallingford	SB 865-Sater
SB 827-Sifton	SB 866-Sater
SB 828-Sifton	SB 867-Sater
SB 829-Wasson	SB 868-Wasson
SB 830-Wasson	SJR 16-Schaaf
SB 831-Wasson	SJR 17-Schaaf
SB 832-Wallingford	SJR 18-Schaaf
SB 833-Nasheed	SJR 19-Munzlinger
SB 834-Sifton	SJR 20-Kraus
SB 835-Wasson	SJR 21-Chappelle-Nadal
SB 836-Wasson	SJR 22-Curls
SB 837-Schmitt	SJR 23-Sater
SB 838-Silvey and Walsh	SJR 24-Emery
SB 839-Wallingford	SJR 25-Emery
SB 840-Keaveny	SJR 26-Silvey
SB 841-Keaveny	SJR 27-Holsman
SB 842-Keaveny	SJR 28-Holsman
SB 843-Schaaf	SJR 29-Holsman
SB 844-Parson	SJR 30-Hegeman
SB 845-Parson	SJR 31-Chappelle-Nadal
SB 846-Parson	SJR 32-Schmitt
SB 847-Emery and Richard	SJR 33-Schmitt
SB 848-Emery	SJR 34-Schaaf
SB 849-Onder and Kehoe	

INFORMAL CALENDAR

RESOLUTIONS

SR 1181-Richard

HCR 55-Cierpiot (Kehoe)

HCR 56-Cierpiot (Kehoe)

To be Referred

SCR 42-Kehoe
SCR 43-Richard
SCR 44-Dixon
SCR 45-Dixon
SCR 46-Schmitt
SCR 47-Chappelle-Nadal

SCR 48-Nasheed
SCR 49-Nasheed
SCR 50-Nasheed
SCR 51-Kraus
SCR 52-Parson

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Journal of the Senate

SECOND REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 7, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Keep your hearts with all diligence; for out of it are the issues of life.” (Proverbs 4:27)

Heavenly Father, as we conclude this short week we are ever mindful that we must keep our hearts firmly rooted in Your presence and be guided by faith in Your word. Help us pray daily so our lives are anchored in You and we live fully with those we love walking the path You have set for us. Watch our “going out and coming in” this day as we journey to be with those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1182, regarding Janice Cragen, Troy, which was adopted.

Senator Richard offered Senate Resolution No. 1183, regarding the Missouri Cable Telecommunications Association, which was adopted.

Senator Wallingford offered Senate Resolution No. 1184, regarding Harold's Jewelry Store, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1185, regarding the Perryville Machine Shop, Inc. (PMS), Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 1186, regarding the United Land Title, LLC, Jackson, which was adopted.

Senator Cunningham offered Senate Resolution No. 1187, regarding Roy and Karen Jones, Gainesville, which was adopted.

Senator Richard moved that **SR 1181** be taken up for adoption, which motion prevailed.

Senator Richard offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 1181, as it appears on Page 67 of the Senate Journal for Wednesday, January 6, 2016, Line 38 of said journal page, by striking the opening bracket “[” and the closing bracket “]” from said line; and further amend lines 38-39 of said journal page, by striking all of the underlined language from said lines; and

Further amend said resolution, page 68, line 2 of said journal page, by inserting immediately after “Senate.” the following: “**Beginning March 29, 2016, laptop computers may be used by Senators’ staff and senate staff at the staff table and by the research staff at the research table in the Senate Chamber as long as their use does not violate Rule 78 or is otherwise disruptive to the business of the Senate.**”.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Richard, **SR 1181**, as amended, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Holsman	Nasheed	Schupp	Sifton—4
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Absent—Senators—None

Absent with leave—Senators

Curls	Walsh—2
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Vacancies—2

CONCURRENT RESOLUTIONS

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 53

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

Senator Riddle assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 869—By Schmitt.

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to sheltered workshop property tax levies.

SB 870—By Kraus.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to an income tax deduction for dentists providing services to MO HealthNet participants.

SB 871—By Wallingford.

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

SB 872—By Munzlinger.

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

- SB 569**—Transportation, Infrastructure and Public Safety.
- SB 570**—Rules, Joint Rules, Resolutions and Ethics.
- SB 571**—Education.
- SB 572**—Jobs, Economic Development and Local Government.
- SB 573**—Jobs, Economic Development and Local Government.
- SB 574**—Ways and Means.
- SB 575**—Jobs, Economic Development and Local Government.
- SB 576**—Judiciary and Civil and Criminal Jurisprudence.
- SB 577**—Judiciary and Civil and Criminal Jurisprudence.
- SB 578**—Judiciary and Civil and Criminal Jurisprudence.
- SB 579**—Veterans’ Affairs and Health.
- SB 580**—General Laws and Pensions.
- SB 581**—Veterans’ Affairs and Health.
- SB 582**—Education.
- SB 583**—Education.
- SB 584**—Agriculture, Food Production and Outdoor Resources.
- SB 585**—Judiciary and Civil and Criminal Jurisprudence.
- SB 586**—Education.
- SB 587**—Rules, Joint Rules, Resolutions and Ethics.
- SB 588**—Judiciary and Civil and Criminal Jurisprudence.
- SB 589**—Transportation, Infrastructure and Public Safety.
- SB 590**—Judiciary and Civil and Criminal Jurisprudence.
- SB 591**—Small Business, Insurance and Industry.
- SB 592**—Education.
- SB 593**—Governmental Accountability and Fiscal Oversight.
- SB 594**—Financial and Governmental Organizations and Elections.
- SB 595**—Commerce, Consumer Protection, Energy and the Environment.
- SB 596**—Ways and Means.

SB 597—Financial and Governmental Organizations and Elections.

SB 598—Small Business, Insurance and Industry.

SB 599—Small Business, Insurance and Industry.

SB 600—Commerce, Consumer Protection, Energy and the Environment.

SB 601—Small Business, Insurance and Industry.

SB 602—Jobs, Economic Development and Local Government.

SB 603—Judiciary and Civil and Criminal Jurisprudence.

SB 604—Judiciary and Civil and Criminal Jurisprudence.

SB 605—Jobs, Economic Development and Local Government.

SB 606—Small Business, Insurance and Industry.

SB 607—Seniors, Families and Children.

SB 608—Veterans' Affairs and Health.

SB 609—Education.

SB 610—Education.

SB 611—Judiciary and Civil and Criminal Jurisprudence.

SB 612—General Laws and Pensions.

SB 613—Small Business, Insurance and Industry.

SB 614—Transportation, Infrastructure and Public Safety.

SB 615—Jobs, Economic Development and Local Government.

SB 616—Transportation, Infrastructure and Public Safety.

SB 617—Agriculture, Food Production and Outdoor Resources.

SB 618—Judiciary and Civil and Criminal Jurisprudence.

SB 619—Seniors, Families and Children.

SB 620—Education.

SB 621—Veterans' Affairs and Health.

SB 622—Ways and Means.

SB 623—Transportation, Infrastructure and Public Safety.

SB 624—Financial and Governmental Organizations and Elections.

SB 625—Transportation, Infrastructure and Public Safety.

SB 626—Education.

SB 627—Education.

SB 628—Transportation, Infrastructure and Public Safety.

SB 629—Commerce, Consumer Protection, Energy and the Environment.

SB 630—Commerce, Consumer Protection, Energy and the Environment.

SB 631—Commerce, Consumer Protection, Energy and the Environment.

SB 632—Rules, Joint Rules, Resolutions and Ethics.

SB 633—Education.

SB 634—Ways and Means.

SB 635—Veterans' Affairs and Health.

SB 636—Financial and Governmental Organizations and Elections.

SB 637—Financial and Governmental Organizations and Elections.

SB 638—Education.

SB 639—General Laws and Pensions.

SB 640—Transportation, Infrastructure and Public Safety.

SB 641—Ways and Means.

SB 642—Ways and Means.

SB 643—Rules, Joint Rules, Resolutions and Ethics.

SB 644—Seniors, Families and Children.

SB 645—Transportation, Infrastructure and Public Safety.

SB 646—Education.

SB 647—Financial and Governmental Organizations and Elections.

SB 648—Veterans' Affairs and Health.

SB 649—Education.

SB 650—Education.

SB 651—Education.

SB 652—Governmental Accountability and Fiscal Oversight.

SB 653—Progress and Development.

SB 654—Veterans' Affairs and Health.

SB 655—Agriculture, Food Production and Outdoor Resources.

SB 656—Transportation, Infrastructure and Public Safety.

SB 657—Agriculture, Food Production and Outdoor Resources.

SB 658—Jobs, Economic Development and Local Government.

SB 659—Transportation, Infrastructure and Public Safety.

SB 660—Financial and Governmental Organizations and Elections.

SJR 16—Rules, Joint Rules, Resolutions and Ethics.

SJR 17—Governmental Accountability and Fiscal Oversight.

SJR 18—Transportation, Infrastructure and Public Safety.

SJR 19—Agriculture, Food Production and Outdoor Resources.

SJR 20—Financial and Governmental Organizations and Elections.

SJR 21—Jobs, Economic Development and Local Government.

SJR 22—Jobs, Economic Development and Local Government.

SJR 23—Financial and Governmental Organizations and Elections.

SJR 24—Judiciary and Civil and Criminal Jurisprudence.

SJR 25—Ways and Means.

REFERRALS

President Pro Tem Richard referred **SCR 42**, **SCR 43** and **SCR 47** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolutions were read the 2nd time and referred to the Committees indicted:

SCR 44—Rules, Joint Rules, Resolutions and Ethics.

SCR 45—Rules, Joint Rules, Resolutions and Ethics.

SCR 46—Rules, Joint Rules, Resolutions and Ethics.

SCR 48—Rules, Joint Rules, Resolutions and Ethics.

SCR 49—Rules, Joint Rules, Resolutions and Ethics.

SCR 50—Rules, Joint Rules, Resolutions and Ethics.

SCR 51—Rules, Joint Rules, Resolutions and Ethics.

SCR 52—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Kent and Ian Gaines, Florida; and Noah and Eli Nicklas, Jefferson City.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, January 11, 2016.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 11, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 661-Dixon	SB 694-Holsman
SB 662-Dixon	SB 695-Sifton
SB 663-Dixon	SB 696-Sifton
SB 664-Parson	SB 697-Sifton
SB 665-Parson	SB 698-Hegeman
SB 666-Parson	SB 699-Hegeman
SB 667-Brown	SB 700-Schatz
SB 668-Brown	SB 701-Schatz
SB 669-Brown and Richard	SB 702-Munzlinger
SB 670-Chappelle-Nadal	SB 703-Munzlinger
SB 671-Chappelle-Nadal	SB 704-Munzlinger
SB 672-Chappelle-Nadal	SB 705-Dixon
SB 673-Curls	SB 706-Dixon
SB 674-Curls	SB 707-Dixon
SB 675-Curls	SB 708-Parson
SB 676-Sater	SB 709-Parson
SB 677-Sater	SB 710-Parson
SB 678-Emery	SB 711-Brown
SB 679-Emery	SB 712-Chappelle-Nadal
SB 680-Emery	SB 713-Chappelle-Nadal
SB 681-Cunningham	SB 714-Chappelle-Nadal
SB 682-Cunningham	SB 715-Curls
SB 683-Cunningham	SB 716-Curls
SB 684-Wallingford	SB 717-Curls
SB 685-Wallingford	SB 718-Emery
SB 686-Wallingford	SB 719-Emery
SB 687-Romine	SB 720-Emery
SB 688-Romine	SB 721-Romine
SB 689-Romine	SB 722-Romine
SB 690-Nasheed	SB 723-Romine
SB 691-Nasheed	SB 724-Nasheed
SB 692-Nasheed	SB 725-Nasheed
SB 693-Holsman	SB 726-Nasheed

SB 727-Sifton	SB 775-Schaefer
SB 728-Sifton	SB 776-Schaaf
SB 729-Sifton	SB 777-Munzlinger
SB 730-Munzlinger	SB 778-Wallingford
SB 731-Munzlinger	SB 779-Wieland
SB 732-Munzlinger	SB 780-Wieland
SB 733-Dixon	SB 781-Schatz
SB 734-Dixon	SB 782-Onder
SB 735-Dixon	SB 783-Onder
SB 736-Parson	SB 784-Onder
SB 737-Parson	SB 785-Schaefer
SB 738-Parson	SB 786-Kraus
SB 739-Chappelle-Nadal	SB 787-Kraus
SB 740-Chappelle-Nadal	SB 788-Schatz
SB 741-Chappelle-Nadal	SB 789-Wasson
SB 742-Curls	SB 790-Parson
SB 743-Curls	SB 791-Parson
SB 744-Curls	SB 792-Richard
SB 745-Romine	SB 793-Richard
SB 746-Romine and Kehoe	SB 794-Wallingford
SB 747-Nasheed	SB 795-Wallingford
SB 748-Nasheed	SB 796-Romine
SB 749-Sifton	SB 797-Pearce
SB 750-Sifton	SB 798-Kraus
SB 751-Sifton	SB 799-Kraus
SB 752-Munzlinger	SB 800-Sater, et al
SB 753-Dixon	SB 801-Sater
SB 755-Chappelle-Nadal	SB 802-Sater
SB 756-Chappelle-Nadal	SB 803-Sifton
SB 757-Chappelle-Nadal	SB 804-Onder
SB 758-Chappelle-Nadal	SB 805-Onder
SB 759-Chappelle-Nadal	SB 806-Onder
SB 760-Chappelle-Nadal	SB 807-Schupp
SB 761-Chappelle-Nadal	SB 808-Schupp
SB 762-Chappelle-Nadal	SB 809-Sifton
SB 763-Chappelle-Nadal	SB 810-Schmitt
SB 764-Chappelle-Nadal	SB 811-Kraus
SB 765-Schmitt	SB 812-Keaveny
SB 766-Schmitt	SB 813-Brown
SB 767-Schmitt	SB 814-Wallingford, et al
SB 768-Schaaf	SB 815-Schmitt
SB 769-Munzlinger	SB 816-Wieland and Walsh
SB 771-Onder	SB 817-Wieland
SB 772-Onder	SB 818-Schatz and Riddle
SB 773-Onder	SB 819-Schupp
SB 774-Schmitt	SB 820-Schupp

SB 821-Schupp	SB 852-Brown
SB 822-Keaveny	SB 853-Brown
SB 823-Kraus	SB 854-Brown
SB 824-Schatz	SB 855-Pearce
SB 825-Munzlinger	SB 856-Silvey
SB 826-Wallingford	SB 857-Romine
SB 827-Sifton	SB 858-Romine
SB 828-Sifton	SB 859-Munzlinger
SB 829-Wasson	SB 860-Riddle
SB 830-Wasson	SB 861-Wieland
SB 831-Wasson	SB 862-Wieland
SB 832-Wallingford	SB 863-Wieland
SB 833-Nasheed	SB 864-Sater
SB 834-Sifton	SB 865-Sater
SB 835-Wasson	SB 866-Sater
SB 836-Wasson	SB 867-Sater
SB 837-Schmitt	SB 868-Wasson
SB 838-Silvey and Walsh	SB 869-Schmitt
SB 839-Wallingford	SB 870-Kraus
SB 840-Keaveny	SB 871-Wallingford
SB 841-Keaveny	SB 872-Munzlinger
SB 842-Keaveny	SJR 26-Silvey
SB 843-Schaaf	SJR 27-Holsman
SB 844-Parson	SJR 28-Holsman
SB 845-Parson	SJR 29-Holsman
SB 846-Parson	SJR 30-Hegeman
SB 847-Emery and Richard	SJR 31-Chappelle-Nadal
SB 848-Emery	SJR 32-Schmitt
SB 849-Onder and Kehoe	SJR 33-Schmitt
SB 850-Schupp	SJR 34-Schaaf
SB 851-Brown	

INFORMAL CALENDAR

RESOLUTIONS

HCR 55-Cierpiot (Kehoe)

HCR 56-Cierpiot (Kehoe)

To be Referred

SCR 53-Schaefer

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Journal of the Senate

SECOND REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 11, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“There are, in every age, new errors to be rectified, and new prejudices to be opposed.” (Samuel Johnson, 1751)

Heavenly Father, as we begin a new week and move into this new session, we ask that we may see past errors and ask Your help to keep us from remaking mistakes, as in the past, as we move forward into this year. We also pray You help us do what we can to improve our efforts to do Your will and find ways that our work here pays benefits in helping others live productive lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 7, 2016, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Sifton	Silvey	Wallingford	Walsh

Wieland—29

Absent—Senators—None

Absent with leave—Senators

Schmitt	Schupp	Wasson—3
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Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 1188, regarding the Missouri Pathfinders, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 1189, regarding Bill McKinley, Union, which was adopted.

Senator Richard offered Senate Resolution No. 1190, regarding Sue Vandergriff, Carthage, which was adopted.

Senator Kraus offered Senate Resolution No. 1191, regarding the Seventy-fifth Wedding Anniversary of Ed and Ila Tenny, Lee's Summit, which was adopted.

Senator Hegeman offered Senate Resolution No. 1192, regarding the Fiftieth Wedding Anniversary of Forrest and Ruth Wake, Pickering, which was adopted.

Senator Hegeman offered Senate Resolution No. 1193, regarding the Seventieth Wedding Anniversary of Harry and Helen Danks, Galt, which was adopted.

Senator Hegeman offered Senate Resolution No. 1194, regarding the Sixty-fifth Wedding Anniversary of Everett and Violet Steinhoff, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1195, regarding the Sixtieth Wedding Anniversary of Lester and Marjorie Roush, Pickering, which was adopted.

Senator Walsh offered Senate Resolution No. 1196, regarding Eagle Scout Jared Isaiah Edwards, Florissant, which was adopted.

Senator Parson offered Senate Resolution No. 1197, regarding the Fiftieth Wedding Anniversary of Freman and Connie Elam, Laclede, which was adopted.

Senator Parson offered Senate Resolution No. 1198, regarding Eagle Scout Brennon Lee Chambers, Saint Joseph, which was adopted.

Senator Riddle offered Senate Resolution No. 1199, regarding Pat Kirby, which was adopted.

Senator Sifton offered Senate Resolution No. 1200, regarding Eagle Scout Christopher Dale Givens, Oakville, which was adopted.

Senator Dixon offered Senate Resolution No. 1201, regarding the Springfield Branch of the National Association for the Advancement of Colored People (NAACP), which was adopted.

Senator Libla offered Senate Resolution No. 1202, regarding Kennett High School, Dunklin, which was adopted.

Senator Brown offered Senate Resolution No. 1203, regarding Reverend Dr. Michael Dowdy, Rolla, which was adopted.

Senator Riddle offered Senate Resolution No. 1204, regarding Kay Knipp, which was adopted.

Senator Riddle offered Senate Resolution No. 1205, regarding Mike Lichtenberg, Montgomery, which was adopted.

Senator Riddle offered Senate Resolution No. 1206, regarding Sherra Deimeke, which was adopted.

Senator Cunningham offered Senate Resolution No. 1207, regarding Steve Ary, West Plains, which was adopted.

Senator Parson offered Senate Resolution No. 1208, regarding the 2015 Class 1 State Champion Hermitage High School Boys Cross County Hornets, which was adopted.

Senator Parson offered Senate Resolution No. 1209, regarding the Fiftieth Wedding Anniversary of James and Cynthia Walker, Brighton, which was adopted.

Senator Sater offered Senate Resolution No. 1210, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Hiebert, which was adopted.

Senator Sater offered Senate Resolution No. 1211, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Newman, Exeter, which was adopted.

CONCURRENT RESOLUTIONS

Senator Walsh offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 54

Whereas, meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. Although one in ten people are carriers for this bacteria with no signs or symptoms of disease, sometimes *Neisseria meningitidis* bacteria can cause illness; and

Whereas, meningococcal disease is spread from person to person through the exchange of bacteria through respiratory and throat secretion during close or lengthy contact; and

Whereas, in the United States, there are approximately 1,000 to 1,200 cases of meningococcal disease that occur each year; and

Whereas, ten to fifteen percent of infected individuals will die, while eleven to nineteen percent of those who live will suffer from serious morbidity, including loss of limbs and impacts to the nervous system; and

Whereas, infants under one year of age, as well as young adults between the ages of sixteen and twenty-one, are most commonly impacted by this disease; and

Whereas, there are different strains or serogroups of *Neisseria meningitidis*, with serogroups B, C, and Y accounting for most meningococcal disease in the United States; and

Whereas, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death; and

Whereas, vaccines are available to prevent meningococcal disease, and different vaccines provide coverage against certain specific serogroups of the disease; and

Whereas, while there are vaccines that help provide protection against all three serogroups (B, C, and Y) commonly seen in the United States, only vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention; and

Whereas, the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults sixteen through twenty-three years of age against serogroup B meningococcal disease should be made at the individual level with health care providers; and

Whereas, it is critical that students, parents, educators, and health care providers understand the dangers of meningitis B and are aware that a vaccine is available to prevent disease resulting from this serogroup:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-Eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, urge the Missouri Department of Higher Education and the Missouri Department of Health and Senior Services to encourage all public and private high schools, colleges, and universities in Missouri to provide to all students, parents, and guardians about meningococcal disease information explaining the different disease serogroups, symptoms, risks, and treatment options; and

Be It Further Resolved that such information should also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices, including Category A and Category B recommendations, with specific information as to those persons at higher risk for the disease; and

Be It Further Resolved that each public and private high school, college, and university in Missouri is urged to recommend that current and entering students receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices guidelines; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Missouri Department of Higher Education and the Missouri Department of Health and Senior Services.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 873—By Pearce.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof three new sections relating to the science, technology, engineering and mathematics fund.

SB 874—By Pearce.

An Act to repeal sections 49.098 and 262.590, RSMo, and to enact in lieu thereof two new sections relating to university of Missouri extension councils.

SB 875—By Schaefer.

An Act to repeal sections 338.056, 338.059, and 338.100, RSMo, and to enact in lieu thereof four new sections relating to interchangeable biological products.

SB 876—By Schatz.

An Act to repeal section 287.780, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 877—By Schatz.

An Act to repeal section 288.032, RSMo, and to enact in lieu thereof twelve new sections relating to professional employer organizations.

SB 878—By Brown.

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table program, with a delayed effective date.

SB 879—By Brown.

An Act to repeal section 620.2005, RSMo, and to enact in lieu thereof two new sections relating to the Missouri works program.

SB 880—By Brown.

An Act to repeal section 253.080 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 253.080 as enacted by senate bill no. 1015, ninety-first general

assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to awarding of contracts to operate public concessions within a state park.

SB 881—By Brown.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to compensation for certain employees of the department of corrections.

SB 882—By Romine.

An Act to amend chapter 436, RSMo, by adding thereto eleven new sections relating to consumer legal funding, with penalty provisions.

SB 883—By Riddle.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to out of state abortion referrals.

SB 884—By Munzlinger.

An Act to repeal section 414.082, RSMo, and to enact in lieu thereof one new section relating to the per barrel fee for the inspection of certain motor fuels.

SB 885—By Munzlinger.

An Act to amend chapter 620, RSMo, by adding thereto seven new sections relating to tax incentives for investments in rural businesses.

SB 886—By Walsh.

An Act to repeal section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the address confidentiality program, with penalty provisions.

SB 887—By Walsh.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

SB 888—By Walsh.

An Act to repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections relating to the address confidentiality program administered by the secretary of state.

SB 889—By Onder.

An Act to repeal sections 34.209, 34.212, and 34.216, RSMo, and to enact in lieu thereof two new sections relating to public contracts.

SB 890—By Emery.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to victim impact programs for persons found guilty of driving while intoxicated.

SJR 35—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property taxation.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 661—Judiciary and Civil and Criminal Jurisprudence.

SB 662—Rules, Joint Rules, Resolutions and Ethics.

SB 663—Judiciary and Civil and Criminal Jurisprudence.

SB 664—Agriculture, Food Production and Outdoor Resources.

SB 665—Agriculture, Food Production and Outdoor Resources.

SB 666—Rules, Joint Rules, Resolutions and Ethics.

SB 667—Small Business, Insurance and Industry.

SB 668—Small Business, Insurance and Industry.

SB 669—Commerce, Consumer Protection, Energy and the Environment.

SB 670—Seniors, Families and Children.

SB 671—Judiciary and Civil and Criminal Jurisprudence.

SB 672—Education.

SB 673—Jobs, Economic Development and Local Government.

SB 674—Judiciary and Civil and Criminal Jurisprudence.

SB 675—Financial and Governmental Organizations and Elections.

SB 676—Jobs, Economic Development and Local Government.

SB 677—Veterans' Affairs and Health.

SB 678—Transportation, Infrastructure and Public Safety.

SB 679—Financial and Governmental Organizations and Elections.

SB 680—General Laws and Pensions.

SB 681—Judiciary and Civil and Criminal Jurisprudence.

SB 682—Governmental Accountability and Fiscal Oversight.

SB 683—Ways and Means.

SB 684—Judiciary and Civil and Criminal Jurisprudence.

SB 685—Judiciary and Civil and Criminal Jurisprudence.

SB 686—Jobs, Economic Development and Local Government.

SB 687—Commerce, Consumer Protection, Energy and the Environment.

SB 688—General Laws and Pensions.

SB 689—Judiciary and Civil and Criminal Jurisprudence.

SB 690—Jobs, Economic Development and Local Government.

SB 691—Transportation, Infrastructure and Public Safety.

SB 692—Jobs, Economic Development and Local Government.

SB 693—Small Business, Insurance and Industry.

SB 694—Transportation, Infrastructure and Public Safety.

SB 695—Small Business, Insurance and Industry.

SB 696—Judiciary and Civil and Criminal Jurisprudence.

SB 697—Education.

SB 698—Financial and Governmental Organizations and Elections.

SB 699—Jobs, Economic Development and Local Government.

SB 700—Small Business, Insurance and Industry.

SB 701—Financial and Governmental Organizations and Elections.

SB 702—Small Business, Insurance and Industry.

SB 703—Agriculture, Food Production and Outdoor Resources.

SB 704—Governmental Accountability and Fiscal Oversight.

SB 705—Judiciary and Civil and Criminal Jurisprudence.

SB 706—Ways and Means.

SB 707—Judiciary and Civil and Criminal Jurisprudence.

SB 708—Transportation, Infrastructure and Public Safety.

SB 709—Jobs, Economic Development and Local Government.

SB 710—Small Business, Insurance and Industry.

SB 711—Education.

SB 712—Education.

SB 713—Education.

SB 714—Education.

SB 715—Judiciary and Civil and Criminal Jurisprudence.

- SB 716**—Judiciary and Civil and Criminal Jurisprudence.
- SB 717**—Judiciary and Civil and Criminal Jurisprudence.
- SB 718**—Judiciary and Civil and Criminal Jurisprudence.
- SB 719**—Education.
- SB 720**—Education.
- SB 721**—Agriculture, Food Production and Outdoor Resources.
- SB 722**—Governmental Accountability and Fiscal Oversight.
- SB 723**—Commerce, Consumer Protection, Energy and the Environment.
- SB 724**—Small Business, Insurance and Industry.
- SB 725**—Small Business, Insurance and Industry.
- SB 726**—Judiciary and Civil and Criminal Jurisprudence.
- SB 727**—Education.
- SB 728**—Education.
- SB 729**—Judiciary and Civil and Criminal Jurisprudence.
- SB 730**—Financial and Governmental Organizations and Elections.
- SB 731**—Transportation, Infrastructure and Public Safety.
- SB 732**—Transportation, Infrastructure and Public Safety.
- SB 733**—Judiciary and Civil and Criminal Jurisprudence.
- SB 734**—Judiciary and Civil and Criminal Jurisprudence.
- SB 735**—Judiciary and Civil and Criminal Jurisprudence.
- SB 736**—Small Business, Insurance and Industry.
- SB 737**—Financial and Governmental Organizations and Elections.
- SB 738**—Ways and Means.
- SB 739**—Transportation, Infrastructure and Public Safety.
- SB 740**—Transportation, Infrastructure and Public Safety.
- SB 741**—Judiciary and Civil and Criminal Jurisprudence.
- SB 742**—Judiciary and Civil and Criminal Jurisprudence.
- SB 743**—Judiciary and Civil and Criminal Jurisprudence.
- SB 744**—Jobs, Economic Development and Local Government.
- SB 745**—Small Business, Insurance and Industry.

SB 746—Small Business, Insurance and Industry.

SB 747—Education.

SB 748—Education.

SB 749—Financial and Governmental Organizations and Elections.

SB 750—Financial and Governmental Organizations and Elections.

SB 751—Commerce, Consumer Protection, Energy and the Environment.

SB 752—Financial and Governmental Organizations and Elections.

SB 753—Ways and Means.

SB 755—Financial and Governmental Organizations and Elections.

SB 756—Rules, Joint Rules, Resolutions and Ethics.

SB 757—Financial and Governmental Organizations and Elections.

SB 758—Judiciary and Civil and Criminal Jurisprudence.

SB 759—Judiciary and Civil and Criminal Jurisprudence.

SB 760—Governmental Accountability and Fiscal Oversight.

SB 761—Judiciary and Civil and Criminal Jurisprudence.

SB 762—Judiciary and Civil and Criminal Jurisprudence.

SB 763—Transportation, Infrastructure and Public Safety.

SB 764—Education.

SB 765—Jobs, Economic Development and Local Government.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 575** to the Committee on Ways and Means.

REFERRALS

President Pro Tem Richard referred **SCR 53** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Riddle assumed the Chair.

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Rachael Palmer, Ste. Genevieve.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 12, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 766-Schmitt	SB 793-Richard
SB 767-Schmitt	SB 794-Wallingford
SB 768-Schaaf	SB 795-Wallingford
SB 769-Munzlinger	SB 796-Romine
SB 771-Onder	SB 797-Pearce
SB 772-Onder	SB 798-Kraus
SB 773-Onder	SB 799-Kraus
SB 774-Schmitt	SB 800-Sater, et al
SB 775-Schaefer	SB 801-Sater
SB 776-Schaaf	SB 802-Sater
SB 777-Munzlinger	SB 803-Sifton
SB 778-Wallingford	SB 804-Onder
SB 779-Wieland	SB 805-Onder
SB 780-Wieland	SB 806-Onder
SB 781-Schatz	SB 807-Schupp
SB 782-Onder	SB 808-Schupp
SB 783-Onder	SB 809-Sifton
SB 784-Onder	SB 810-Schmitt
SB 785-Schaefer	SB 811-Kraus
SB 786-Kraus	SB 812-Keaveny
SB 787-Kraus	SB 813-Brown
SB 788-Schatz	SB 814-Wallingford, et al
SB 789-Wasson	SB 815-Schmitt
SB 790-Parson	SB 816-Wieland and Walsh
SB 791-Parson	SB 817-Wieland
SB 792-Richard	SB 818-Schatz and Riddle

SB 819-Schupp	SB 855-Pearce
SB 820-Schupp	SB 856-Silvey
SB 821-Schupp	SB 857-Romine
SB 822-Keaveny	SB 858-Romine
SB 823-Kraus	SB 859-Munzlinger
SB 824-Schatz	SB 860-Riddle
SB 825-Munzlinger	SB 861-Wieland
SB 826-Wallingford	SB 862-Wieland
SB 827-Sifton	SB 863-Wieland
SB 828-Sifton	SB 864-Sater
SB 829-Wasson	SB 865-Sater
SB 830-Wasson	SB 866-Sater
SB 831-Wasson	SB 867-Sater
SB 832-Wallingford	SB 868-Wasson
SB 833-Nasheed	SB 869-Schmitt
SB 834-Sifton	SB 870-Kraus
SB 835-Wasson	SB 871-Wallingford
SB 836-Wasson	SB 872-Munzlinger
SB 837-Schmitt	SB 873-Pearce
SB 838-Silvey and Walsh	SB 874-Pearce
SB 839-Wallingford	SB 875-Schaefer
SB 840-Keaveny	SB 876-Schatz
SB 841-Keaveny	SB 877-Schatz
SB 842-Keaveny	SB 878-Brown
SB 843-Schaaf	SB 879-Brown
SB 844-Parson	SB 880-Brown
SB 845-Parson	SB 881-Brown
SB 846-Parson	SB 882-Romine
SB 847-Emery and Richard	SB 883-Riddle
SB 848-Emery	SB 884-Munzlinger
SB 849-Onder and Kehoe	SB 885-Munzlinger
SB 850-Schupp	SB 886-Walsh
SB 851-Brown	SB 887-Walsh
SB 852-Brown	SB 888-Walsh
SB 853-Brown	SB 889-Onder
SB 854-Brown	SB 890-Emery

SJR 26-Silvey

SJR 27-Holsman

SJR 28-Holsman

SJR 29-Holsman

SJR 30-Hegeman

SJR 31-Chappelle-Nadal

SJR 32-Schmitt

SJR 33-Schmitt

SJR 34-Schaaf

SJR 35-Kraus

INFORMAL CALENDAR

RESOLUTIONS

HCR 55-Cierpiot (Kehoe)

HCR 56-Cierpiot (Kehoe)

To be Referred

SCR 54-Walsh

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Journal of the Senate

SECOND REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 12, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make me to know your ways O Lord; teach me your paths.” (Psalm 25:4)

O God, make us an open vessel through which Your Spirit moves. Let Your love flow through us and touch those with whom we contact this day. Let joy flow and be found in us and be expressed through the special talents You have given each of us. And, let us know of Your presence that is witnessed in our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Sifton	Silvey	Wallingford	Walsh

Wieland—29

Absent—Senators—None

Absent with leave—Senators

Schmitt Schupp Wasson—3

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1212, regarding the Eighty-fifth Birthday of Barbara Gautreaux Moody, Lee's Summit, which was adopted.

Senator Parson offered Senate Resolution No. 1213, regarding Leroy Van Dyke, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 891—By Schaefer.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to correctional facilities.

SB 892—By Chappelle-Nadal.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to increasing the number of contracts awarded to women's and minority business enterprises.

SB 893—By Munzlinger.

An Act to repeal section 537.765, RSMo, and to enact in lieu thereof one new section relating to products liability.

SB 894—By Munzlinger.

An Act to repeal section 537, RSMo, and to enact in lieu thereof one new section relating to private nuisance actions.

SB 895—By Hegeman.

An Act to repeal sections 99.848, 190.102, 190.103, 190.131, 190.142, 190.165, 190.339, and 321.017, RSMo, and to enact in lieu thereof twelve new sections relating to emergency service providers.

SB 896—By Hegeman.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability for removing a minor from a locked vehicle.

SB 897—By Hegeman.

An Act to repeal section 139.250, RSMo, and to enact in lieu thereof one new section relating to payments due by collectors.

SB 898—By Cunningham.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof two new sections relating to the department of revenue technology fund.

SB 899—By Parson.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

- SB 766**—Governmental Accountability and Fiscal Oversight.
- SB 767**—Education.
- SB 768**—Transportation, Infrastructure and Public Safety.
- SB 769**—Agriculture, Food Production and Outdoor Resources.
- SB 771**—Financial and Governmental Organizations and Elections.
- SB 772**—Financial and Governmental Organizations and Elections.
- SB 773**—Financial and Governmental Organizations and Elections.
- SB 774**—Rules, Joint Rules, Resolutions and Ethics.
- SB 775**—Judiciary and Civil and Criminal Jurisprudence.
- SB 776**—General Laws and Pensions.
- SB 777**—Education.
- SB 778**—Veterans’ Affairs and Health.
- SB 779**—Small Business, Insurance and Industry.
- SB 780**—Small Business, Insurance and Industry.
- SB 781**—Commerce, Consumer Protection, Energy and the Environment.
- SB 782**—Judiciary and Civil and Criminal Jurisprudence.
- SB 783**—Commerce, Consumer Protection, Energy and the Environment.
- SB 784**—Ways and Means.
- SB 785**—Progress and Development.
- SB 786**—Financial and Governmental Organizations and Elections.
- SB 787**—Financial and Governmental Organizations and Elections.
- SB 788**—Jobs, Economic Development and Local Government.
- SB 789**—Jobs, Economic Development and Local Government.
- SB 790**—Judiciary and Civil and Criminal Jurisprudence.
- SB 791**—Transportation, Infrastructure and Public Safety.
- SB 792**—Small Business, Insurance and Industry.
- SB 793**—Small Business, Insurance and Industry.
- SB 794**—Ways and Means.
- SB 795**—Ways and Means.
- SB 796**—Commerce, Consumer Protection, Energy and the Environment.
- SB 797**—Transportation, Infrastructure and Public Safety.
- SB 798**—Ways and Means.

SB 799—Ways and Means.

SB 800—Jobs, Economic Development and Local Government.

SB 801—Seniors, Families and Children.

SB 802—Seniors, Families and Children.

SB 803—Small Business, Insurance and Industry.

SB 804—Seniors, Families and Children.

SB 805—Jobs, Economic Development and Local Government.

SB 806—Small Business, Insurance and Industry.

SB 807—Rules, Joint Rules, Resolutions and Ethics.

SB 808—Rules, Joint Rules, Resolutions and Ethics.

SB 809—Education.

SB 810—Jobs, Economic Development and Local Government.

SB 811—Judiciary and Civil and Criminal Jurisprudence.

SB 812—Judiciary and Civil and Criminal Jurisprudence.

SB 813—Veterans' Affairs and Health.

SB 814—Ways and Means.

SB 815—Jobs, Economic Development and Local Government.

SB 816—General Laws and Pensions.

SB 817—Commerce, Consumer Protection, Energy and the Environment.

SB 818—Transportation, Infrastructure and Public Safety.

SB 819—Veterans' Affairs and Health.

SB 820—Transportation, Infrastructure and Public Safety.

SB 821—Transportation, Infrastructure and Public Safety.

SB 822—Veterans' Affairs and Health.

SB 823—Ways and Means.

SB 824—Commerce, Consumer Protection, Energy and the Environment.

SB 825—Agriculture, Food Production and Outdoor Resources.

SB 826—Financial and Governmental Organizations and Elections.

SB 827—Education.

SB 828—Small Business, Insurance and Industry.

SB 829—Financial and Governmental Organizations and Elections.

SB 830—Small Business, Insurance and Industry.

SB 831—Financial and Governmental Organizations and Elections.

SB 832—Small Business, Insurance and Industry.

SB 833—Financial and Governmental Organizations and Elections.

SB 834—Jobs, Economic Development and Local Government.

SB 835—Financial and Governmental Organizations and Elections.

SB 836—Financial and Governmental Organizations and Elections.

SB 837—Jobs, Economic Development and Local Government.

SB 838—Commerce, Consumer Protection, Energy and the Environment.

SB 839—Agriculture, Food Production and Outdoor Resources.

SB 840—Judiciary and Civil and Criminal Jurisprudence.

SB 841—Judiciary and Civil and Criminal Jurisprudence.

SB 842—Judiciary and Civil and Criminal Jurisprudence.

SB 843—Financial and Governmental Organizations and Elections.

SB 844—Agriculture, Food Production and Outdoor Resources.

SB 845—Veterans' Affairs and Health.

SB 846—Jobs, Economic Development and Local Government.

SB 847—Small Business, Insurance and Industry.

SB 848—Commerce, Consumer Protection, Energy and the Environment.

SB 849—Commerce, Consumer Protection, Energy and the Environment.

SB 850—Financial and Governmental Organizations and Elections.

SJR 26—Rules, Joint Rules, Resolutions and Ethics.

SJR 27—Rules, Joint Rules, Resolutions and Ethics.

SJR 28—Rules, Joint Rules, Resolutions and Ethics.

SJR 29—Veterans' Affairs and Health.

SJR 30—Judiciary and Civil and Criminal Jurisprudence.

SJR 31—Jobs, Economic Development and Local Government.

SJR 32—Rules, Joint Rules, Resolutions and Ethics.

SJR 33—Ways and Means.

SJR 34—General Laws and Pensions.

REFERRALS

President Pro Tem Richard referred **SCR 54** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

On behalf of Senator Wallingford and himself, President Kinder introduced to the Senate, Ike Skelton, Lebanon; and Jan Farrar, Gordonville.

Senator Wallingford introduced to the Senate, Jack Liput, University of Missouri.

On motion of Senator Onder, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 13, 2016

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 851-Brown	SB 876-Schatz
SB 852-Brown	SB 877-Schatz
SB 853-Brown	SB 878-Brown
SB 854-Brown	SB 879-Brown
SB 855-Pearce	SB 880-Brown
SB 856-Silvey	SB 881-Brown
SB 857-Romine	SB 882-Romine
SB 858-Romine	SB 883-Riddle
SB 859-Munzlinger	SB 884-Munzlinger
SB 860-Riddle	SB 885-Munzlinger
SB 861-Wieland	SB 886-Walsh
SB 862-Wieland	SB 887-Walsh
SB 863-Wieland	SB 888-Walsh
SB 864-Sater	SB 889-Onder
SB 865-Sater	SB 890-Emery
SB 866-Sater	SB 891-Schaefer
SB 867-Sater	SB 892-Chappelle-Nadal
SB 868-Wasson	SB 893-Munzlinger
SB 869-Schmitt	SB 894-Munzlinger
SB 870-Kraus	SB 895-Hegeman
SB 871-Wallingford	SB 896-Hegeman
SB 872-Munzlinger	SB 897-Hegeman
SB 873-Pearce	SB 898-Cunningham
SB 874-Pearce	SB 899-Parson
SB 875-Schaefer	SJR 35-Kraus

INFORMAL CALENDAR

RESOLUTIONS

HCR 55-Cierpiot (Kehoe)

HCR 56-Cierpiot (Kehoe)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 13, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“All the paths of the Lord are steadfast love and faithfulness, for those who keep his covenant and his decrees.” (Psalm 25:10)

Gracious God, Your grace refreshes and renews us so we can follow Your paths and adhere to Your decrees. Help us to live fully the life and perform duties You have given each of us. And give us Your light and guard, rule and guide us through this day. Ane we pray for our secretary, Adriane and her family at the death of her father. May you comfort them with your grace and mercy. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missourinet and The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Curls	Schatz—3
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Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1214, regarding Dean Buffington, which was adopted.

Senator Pearce offered Senate Resolution No. 1215, regarding Georgia Stuart-Simmons, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1216, regarding Cameron Cooper Utz, Odessa, which was adopted.

Senator Pearce offered Senate Resolution No. 1217, regarding the Fiftieth Anniversary of the Memorial Veterans of Foreign Wars Auxiliary 5844, Holden, which was adopted.

Senator Cunningham offered Senate Resolution No. 1218, regarding the Campbell Farm, Bucyrus, which was adopted.

Senator Richard offered Senate Resolution No. 1219, regarding the One Hundred Seventy-fifth Anniversary of Jasper County, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1220

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June, 2016, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby grant the adult leaders and participants of the Seventy-fourth Session of Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 29, 2016 from 8:00 am to 12:30 pm.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1220** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1220** was adopted.

Senator Kehoe offered the following resolution:

Senate Resolution No. 1221

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-eighth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 8, 2016, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1221** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1221** was adopted.

Senator Hegeman offered Senate Resolution No. 1222, regarding the Fiftieth Wedding Anniversary of Roger and Margie King, Plattsburg, which was adopted.

CONCURRENT RESOLUTIONS

Senator Holsman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 55

Whereas, the first President of the United States George Washington stated, “The basis of our political systems is the right of the people to make and to alter their Constitutions of Government.”; and

Whereas, it was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be “dependent on the people alone.” (James Madison, Federalist 52); and

Whereas, that dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and

Whereas, the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) removed restrictions on amounts of independent political spending; and

Whereas, the removal of those restrictions has resulted in the unjust influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws, and determine the fate of our state; and

Whereas, Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and

Whereas, the state of Missouri sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission* (2010) 130 S.Ct. 876 and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that said convention should be so limited; and

Whereas, the state of Missouri desire that the delegates to said convention shall be comprised equally of individuals currently elected to state and local office, or be selected by election, in each congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and

Whereas, the state of Missouri intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 2013-2014 Illinois legislature as Senate Joint Resolution No. 42, and all other passed, pending, and future applications, the aforementioned concerns of Missouri notwithstanding until such time as two-thirds of the several states have applied for a convention and said convention is convened by Congress:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States of America as soon as two-thirds of the several states have applied for a convention; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States in his capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate and the members of the Missouri Congressional delegation with the respectful request that the full and complete text of this resolution be printed in the *Congressional Record*; to the Governor of each state, and to the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution.

Senator Kehoe moved that **HCR 55** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 55** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Curls Schatz—3

Vacancies—2

Senator Kehoe moved that **HCR 56** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 56** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Curls Schatz—3

Vacancies—2

COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 55**: Senators: Curls, Hegeman, Holsman, Keaveny, Pearce, Romine, Schaefer, Schmitt, Sifton and Walsh.

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 56**: Senators: Chappelle-Nadal, Dixon, Keaveny, Nasheed, Onder, Riddle, Schaefer, Schmitt, Schupp and Sifton.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 721** to the Committee on Judiciary and Civil and Criminal Jurisprudence.

President Pro Tem Richard re-referred **SB 789** to the Committee on Commerce, Consumer Protection, Energy and the Environment.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 900—By Holsman.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to health care cost transparency.

SB 901—By Holsman.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to the duty of scrap metal operators to obtain certificates of title for certain inoperable motor vehicles.

SB 902—By Silvey and Holsman.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

SB 903—By Dixon.

An Act to repeal sections 221.160 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to the reimbursement of certain criminal costs.

SB 904—By Pearce.

An Act to repeal sections 162.720 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

SB 905—By Sifton.

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections relating to the uniform interstate family support act, with an emergency clause.

SB 906—By Wasson.

An Act to repeal section 32.087, RSMo, and to enact in lieu thereof two new sections relating to local sales tax on motor vehicles.

SB 907—By Walsh and Schupp.

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

SB 908—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to pharmacy benefits managers.

SB 909—By Sater.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Senator Emory Melton memorial highway.

SB 910—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to medication synchronization services.

Senator Romine assumed the Chair.

SB 911—By Wieland.

An Act to repeal sections 354.415, 375.936, and 376.426, RSMo, and to enact in lieu thereof three new sections relating to health insurance.

SB 912—By Schaaf.

An Act to repeal sections 192.945, 195.207, 261.265, and 263.250, RSMo, and to enact in lieu thereof four new sections relating to medical marijuana, with penalty provisions.

SB 913—By Brown.

An Act to repeal sections 306.010, 306.030, 306.031, and 306.080, RSMo, and to enact in lieu thereof four new sections relating to watercraft registration, with existing penalty provisions and a delayed effective date.

SB 914—By Brown.

An Act to repeal section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the offense of trespass in the first degree, with an existing penalty provision.

SB 915—By Schaefer.

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

SB 916—By Schaefer.

An Act to repeal section 213.010, RSMo, and to enact in lieu thereof one new section relating to the protection of religious organizations under the Missouri human rights act.

SB 917—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

SB 918—By Wallingford.

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the use of restraints on juveniles.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

On behalf of Senator Sifton and himself, Senator Pearce introduced to the Senate, Kelli, Alex and Ben Unnerstall, St. Louis; Laura Naas, Gower; Becky Jaques and Lorrie Wolf, Kansas City, members of Decoding Dyslexia MO.

Senator Libla introduced to the Senate, Bill Robison, Bloomfield.

Senator Holsman introduced to the Senate, students from Calvary Lutheran School, Kansas City.

Senator Pearce introduced to the Senate, Bucky and Ryan Pescaglia, Columbia.

On behalf of Senator Kehoe and himself, Senator Pearce introduced to the Senate, Jeff Elliott, Jefferson City; and Angie Keeran, California.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—THURSDAY, JANUARY 14, 2016

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 851-Brown	SB 869-Schmitt
SB 852-Brown	SB 870-Kraus
SB 853-Brown	SB 871-Wallingford
SB 854-Brown	SB 872-Munzlinger
SB 855-Pearce	SB 873-Pearce
SB 856-Silvey	SB 874-Pearce
SB 857-Romine	SB 875-Schaefer
SB 858-Romine	SB 876-Schatz
SB 859-Munzlinger	SB 877-Schatz
SB 860-Riddle	SB 878-Brown
SB 861-Wieland	SB 879-Brown
SB 862-Wieland	SB 880-Brown
SB 863-Wieland	SB 881-Brown
SB 864-Sater	SB 882-Romine
SB 865-Sater	SB 883-Riddle
SB 866-Sater	SB 884-Munzlinger
SB 867-Sater	SB 885-Munzlinger
SB 868-Wasson	SB 886-Walsh

SB 887-Walsh	SB 904-Pearce
SB 888-Walsh	SB 905-Sifton
SB 889-Onder	SB 906-Wasson
SB 890-Emery	SB 907-Walsh and Schupp
SB 891-Schaefer	SB 908-Sater
SB 892-Chappelle-Nadal	SB 909-Sater
SB 893-Munzlinger	SB 910-Sater
SB 894-Munzlinger	SB 911-Wieland
SB 895-Hegeman	SB 912-Schaaf
SB 896-Hegeman	SB 913-Brown
SB 897-Hegeman	SB 914-Brown
SB 898-Cunningham	SB 915-Schaefer
SB 899-Parson	SB 916-Schaefer
SB 900-Holsman	SB 917-Schaefer
SB 901-Holsman	SB 918-Wallingford
SB 902-Silvey and Holsman	SJR 35-Kraus
SB 903-Dixon	

SENATE BILLS FOR PERFECTION

SB 591-Parson, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 55-Holsman

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Journal of the Senate

SECOND REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 14, 2016

The Senate met pursuant to adjournment.

Senator Silvey in the Chair.

Reverend Carl Gauck offered the following prayer:

“I believe that I shall see the goodness of the Lord in the land of the living.” (Psalm 27:14)

Creator God, we thank You for the goodness we see in those You have given us to love. Thank You for their open, forgiving hearts and minds that seek understanding. And, thank You for showing me how much they are like You. In Your Holy Name we give thanks and praise. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Pearce	Schatz—3
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Vacancies—2

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1223, regarding Eagle Scout Logan A. Littlejohn,

Smithville, which was adopted.

Senator Sater offered Senate Resolution No. 1224, regarding Lucas Lewis, Galena, which was adopted.

Senator Sater offered Senate Resolution No. 1225, regarding Doug Hayter, Walnut Shade, which was adopted.

Senator Sater offered Senate Resolution No. 1226, regarding Shannon Walker, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 1227, regarding Caleb Teig, which was adopted.

Senator Sater offered Senate Resolution No. 1228, regarding Timothy McHaffie, Mount Vernon, which was adopted.

Senator Schmitt offered Senate Resolution No. 1229, regarding Anthony Rahim Loper, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1230, regarding Olivia Hodge, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1231, regarding Dominique Armani Loyd, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1232, regarding Ashley Shaniel Hundley, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1233, regarding Madison Shead, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1234, regarding Rikki Ebony Franks, Kirkwood, which was adopted.

CONCURRENT RESOLUTIONS

Senator Brown offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 56

Relating to May as Cystic Fibrosis Awareness Month in Missouri.

Whereas, cystic fibrosis, commonly referred to as “CF”, is a genetic disease affecting approximately 30,000 children and adults in the United States and nearly 70,000 children and adults worldwide, over 700 of whom live in Missouri; and

Whereas, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

Whereas, more than 10 million Americans are symptomless carriers of the defective CF gene, and CF occurs in approximately one of every 3,500 live births in the United States; and

Whereas, the median age of survival for a person with CF is 39.3 years; and

Whereas, with advances in the treatment of CF, the number of adults with CF has steadily grown, and approximately 900 new cases of CF are diagnosed each year; and

Whereas, 50% of the CF population is 18 years of age and older, and people with CF have a variety of symptoms attributed to the more than 1,800 mutations of the CF gene; and

Whereas, infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

Whereas, early diagnosis of CF permits early treatment and enhances quality of life and longevity and the treatment of CF depends on the stage of the disease and the organs involved; and

Whereas, clearing mucus from the lungs is an important part of the daily CF treatment regimen, and other types of treatments include inhaled antibiotics and pancreatic enzymes; and

Whereas, there are 8 world-class treatment centers in Missouri which specialize in the diagnosis of CF and the care of persons with CF; and

Whereas, a critical component of treating patients with CF includes access to innovative treatments, which can play a crucial role in the lives of patients with CF; and

Whereas, improving the length and quality of life for people with CF starts with awareness:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate every month of May as “Cystic Fibrosis Awareness Month” in Missouri; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 919—By Schmitt.

An Act to amend chapter 311, RSMo, by adding thereto two new sections relating to intoxicating liquor.

SB 920—By Schmitt and Kraus.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to adjustments for dependency exemptions.

SB 921—By Riddle.

An Act to repeal sections 43.505, 43.545, 455.543, and 455.545, RSMo, and to enact in lieu thereof four new sections relating to the reporting of incidents by law enforcement agencies.

SB 922—By Riddle.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to structured family caregiving for MO HealthNet home- and community-based care.

SB 923—By Hegeman.

An Act to repeal section 304.044, RSMo, and to enact in lieu thereof one new section relating to connected vehicle technology, with an existing penalty provision.

SB 924—By Schaaf, Nasheed and Curls.

An Act to repeal section 115.133, RSMo, and to enact in lieu thereof one new section relating to the right of suffrage for former felons.

SB 925—By Sifton.

An Act to repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet buy-in for workers with disabilities program.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

SENATE HEARING SCHEDULE
98th GENERAL ASSEMBLY
SECOND REGULAR SESSION
JANUARY 14, 2016

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation, Infrastructure and Public Safety SCR 1 (Libla)	
8:15 a.m.		Seniors, Families and Children SCR 1 (Sater)		
8:30 a.m.			Gubernatorial Appointments SL (Richard)	Ways and Means SCR 1 (Kraus) Veterans' Affairs and Health SL (Brown)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Kehoe)		
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Parson) Judiciary and Civil and Criminal Jurisprudence SL (Dixon)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)		Progress and Development SCR 2 (Keaveny)	
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Silvey) General Laws and Pensions SCR 1 (Schaaf)	Governmental Accountability and Fiscal Oversight SCR 1 (Cunningham) Education SL (Pearce)	

RE-REFERRALS

President Pro Tem Richard re-referred **SB 806** to the Committee on General Laws and Pensions.

REFERRALS

President Pro Tem Richard referred **SCR 55** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 585**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Kehoe, the Senate recessed until 12:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1452**, entitled:

An Act to repeal section 105.487, RSMo, and to enact in lieu thereof one new section relating to the filing of personal financial disclosure reports.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1575**, entitled:

An Act to repeal section 105.485 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.485 as enacted by house bill no. 2058, ninety-fourth general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to personal financial disclosures.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1983**, entitled:

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to paid political consultants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1979**, entitled:

An Act to repeal section 105.456, as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, former State Representative Judy Baker, Columbia.

On motion of Senator Kehoe, the Senate adjourned until Tuesday, 4:00 p.m., January 19, 2016.

SENATE CALENDAR

SEVENTH DAY—TUESDAY, JANUARY 19, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 851-Brown
SB 852-Brown
SB 853-Brown
SB 854-Brown
SB 855-Pearce
SB 856-Silvey
SB 857-Romine
SB 858-Romine
SB 859-Munzlinger
SB 860-Riddle
SB 861-Wieland

SB 862-Wieland
SB 863-Wieland
SB 864-Sater
SB 865-Sater
SB 866-Sater
SB 867-Sater
SB 868-Wasson
SB 869-Schmitt
SB 870-Kraus
SB 871-Wallingford
SB 872-Munzlinger

SB 873-Pearce	SB 900-Holsman
SB 874-Pearce	SB 901-Holsman
SB 875-Schaefer	SB 902-Silvey and Holsman
SB 876-Schatz	SB 903-Dixon
SB 877-Schatz	SB 904-Pearce
SB 878-Brown	SB 905-Sifton
SB 879-Brown	SB 906-Wasson
SB 880-Brown	SB 907-Walsh and Schupp
SB 881-Brown	SB 908-Sater
SB 882-Romine	SB 909-Sater
SB 883-Riddle	SB 910-Sater
SB 884-Munzlinger	SB 911-Wieland
SB 885-Munzlinger	SB 912-Schaaf
SB 886-Walsh	SB 913-Brown
SB 887-Walsh	SB 914-Brown
SB 888-Walsh	SB 915-Schaefer
SB 889-Onder	SB 916-Schaefer
SB 890-Emery	SB 917-Schaefer
SB 891-Schaefer	SB 918-Wallingford
SB 892-Chappelle-Nadal	SB 919-Schmitt
SB 893-Munzlinger	SB 920-Schmitt and Kraus
SB 894-Munzlinger	SB 921-Riddle
SB 895-Hegeman	SB 922-Riddle
SB 896-Hegeman	SB 923-Hegeman
SB 897-Hegeman	SB 924-Schaaf, et al
SB 898-Cunningham	SB 925-Sifton
SB 899-Parson	SJR 35-Kraus

HOUSE BILLS ON SECOND READING

HB 1452-Hoskins	HB 1983-Dogan
HB 1575-Rowden	HB 1979-Rowden

SENATE BILLS FOR PERFECTION

SB 591-Parson, with SCS	SB 585-Wasson and Sater, with SCS
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INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 56-Brown

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 19, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“..if you indeed cry out for insight, and raise your voice for understanding,...then you will understand righteousness and justice, equity and every good path.” (Proverbs 2:3,9)

Heavenly Father, we remember Your servant Martin Luther King who walked in the path You led him, to teach us to love one another and not let race, color or religious affiliation get in our way of doing what You have taught us is right. Help us to walk this path also, and direct us to help all people to share Your righteous directions. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 14, 2016, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 1235, regarding Jo Mueller, Carl Junction, which was adopted.

Senator Romine offered Senate Resolution No. 1236, regarding Cecil Meredith Hulsey, Farmington, which was adopted.

Senator Cunningham offered Senate Resolution No. 1237, regarding Bob and Janice Adams, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 1238, regarding Matthew Morin, Naylor, which was adopted.

Senator Hegeman offered Senate Resolution No. 1239, regarding the Fiftieth Wedding Anniversary of Steve and Cheryl Knab, Weatherby, which was adopted.

Senator Hegeman offered Senate Resolution No. 1240, regarding the Sixtieth Wedding Anniversary of Billy Jo and Dorothy Meeker, Laredo, which was adopted.

Senator Hegeman offered Senate Resolution No. 1241, regarding the Fiftieth Wedding Anniversary of Richard and Akiko Vencill, Galt, which was adopted.

Senator Silvey offered Senate Resolution No. 1242, regarding John Dillingham, Kansas City, which was adopted.

Senator Hegeman offered Senate Resolution No. 1243, regarding Lillie Hegeman, which was adopted.

Senator Hegeman offered Senate Resolution No. 1244, regarding Phillip Hegeman, which was adopted.

Senator Hegeman offered Senate Resolution No. 1245, regarding Rod Auxier, Maryville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1246, regarding Glenda Hunt, Kirksville, which was adopted.

Senator Wallingford offered Senate Resolution No. 1247, regarding Sam Bearden, Piedmont, which was adopted.

Senator Wallingford offered Senate Resolution No. 1248, regarding Sid Naramore, Chaffee, which was adopted.

Senator Wallingford offered Senate Resolution No. 1249, regarding Richard L. Ayers, Piedmont, which was adopted.

Senator Schaefer offered Senate Resolution No. 1250, regarding Halcyone Ewalt Perlman, Columbia, which was adopted.

Senator Sifton offered Senate Resolution No. 1251, regarding Karl Keller, which was adopted.

Senator Sifton offered Senate Resolution No. 1252, regarding Amy Rose, which was adopted.

Senator Sifton offered Senate Resolution No. 1253, regarding Karen Czaicki, which was adopted.

Senator Sifton offered Senate Resolution No. 1254, regarding Officer Paul Gordon, which was adopted.

Senator Sifton offered Senate Resolution No. 1255, regarding Mark Bryant, which was adopted.

Senator Sifton offered Senate Resolution No. 1256, regarding Lorraine Sullivan, which was adopted.

Senator Sifton offered Senate Resolution No. 1257, regarding Dr. Steve Brotherton, which was adopted.

Senator Sifton offered Senate Resolution No. 1258, regarding Mike and Mary Leeper, which was adopted.

Senator Sifton offered Senate Resolution No. 1259, regarding Lisa Carnehl, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1260, regarding Shannon Smyka, High Ridge, which was adopted.

Senator Sifton offered Senate Resolution No. 1261, regarding Anna Barton, O'Fallon, which was adopted.

Senator Sifton offered Senate Resolution No. 1262, regarding Scout DeNoyer, O'Fallon, which was adopted.

Senator Sifton offered Senate Resolution No. 1263, regarding Cortney Forgarty, OD, which was adopted.

Senator Libla offered Senate Resolution No. 1264, regarding the Lion's Club, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1265, regarding Tyson, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1266, regarding The Loft, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 1267, regarding Laura Lee Stone, Dexter, which was adopted.

Senator Kraus offered Senate Resolution No. 1268, regarding the Veterans of Foreign Wars Post 5844, Holden, which was adopted.

Senator Silvey offered Senate Resolution No. 1269, regarding Eagle Scout Adam M. Larson, Kansas City, which was adopted.

Senator Schmitt offered Senate Resolution No. 1270, regarding David and Sandy Donley, which was adopted.

Senator Schmitt offered Senate Resolution No. 1271, regarding Kiley Mehringer, which was adopted.

Senator Schmitt offered Senate Resolution No. 1272, regarding Warren Sauer and John Hexter, which was adopted.

Senator Sater offered Senate Resolution No. 1273, regarding Henry Grider, Aurora, which was adopted.

Senator Riddle offered Senate Resolution No. 1274, regarding Eagle Scout Caleb Fink, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1275, regarding Carla Emert, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1276, regarding Mark Cross, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1277, regarding Fred J. Statler, Jr., Troy, which was adopted.

Senator Schaaf offered Senate Resolution No. 1278, regarding Louise (Noellsch) Schaaf, Saint Joseph, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 926—By Riddle.

An Act to repeal section 70.210, RSMo, and to enact in lieu thereof one new section relating to the authority of certain boards to cooperate with other entities.

SB 927—By Silvey.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to data storage centers.

SB 928—By Munzlinger.

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to privacy protections for certain agricultural entities.

SB 929—By Dixon.

An Act to repeal section 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to jury instructions on included offenses.

SB 930—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto two new sections relating to school building accreditation.

SB 931—By Schaefer.

An Act to repeal sections 217.362, 217.735, 558.019, 559.106, 559.115, and 566.125, RSMo, and to enact in lieu thereof nine new sections relating to sexual offenses against children, with an effective date.

SB 932—By Cunningham.

An Act to repeal section 370.230, RSMo, and to enact in lieu thereof one new section relating to credit union supervisory committees.

SB 933—By Curls.

An Act to amend chapter 84, RSMo, by adding thereto one new section relating to airport police officers in certain cities.

REFERRALS

President Pro Tem Richard referred **SCR 56** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 55**. Representatives: Rone, Anderson, Allen, Flanigan, Houghton, Pace, McNeil, Kirkton, Walton Gray, and Kratky.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 56**. Representatives: Cornejo, Plocher, McGaugh, Pike, Andrews, Gardner, Mitten, Colona, Rowland (29), and McGee.

President Pro Tem Richard assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 591**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 591**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 591

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

Was taken up.

Senator Parson moved that **SCS** for **SB 591** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 591, Page 2, Section 490.065, Line 52, by inserting after all of said line the following:

“3. In applying the provisions of this chapter, it is the intent of the legislature to uphold the rules of law expressed in *Shelby County R-IV School District et al. v. Herman*, 392 S.W.2d 609 (Mo. 1965), *Casada v. Hamby Excavating Co., Inc.*, 575 S.W.2d 851 (Mo. App. 1978), *Wood River Pipeline Co. v. Sommer*, 757 S.W.2d 265 (Mo. App. E.D. 2007), and all cases citing, interpreting, applying, or following these cases regarding how an owner of real property, while not an expert, is competent to testify as to the reasonable market value of the owner’s land.”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 591, Page 1, Section 490.065, Line 3 by inserting immediately after “487” the following: **“or in all proceedings before the probate division of the**

circuit court”

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 591, Page 2, Section 490.065, Line 52, by inserting after all of said line the following:

“3. In any motion to deny or limit the admission of the testimony of an expert witness brought under subsection 2 of this section, if the court finds that such motion was frivolous or was brought without good faith, the court may award the party defending against such motion the following costs related to defending against the motion:

(1) Attorney’s fees;

(2) Expert fees;

(3) Reasonable litigation expenses;

(4) Reasonable expert travel and lodging fees related to attending the motion hearing or attending a deposition taken for the purposes of preservation of testimony at such hearing; and

(5) Court reporter fees.”.

Senator Keaveny moved that the above amendment be adopted.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 3** and was joined in his request by Senators Schupp, Holsman, Walsh and Keaveny.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Emery	Holsman	Keaveny	Nasheed
Romine	Schaaf	Schmitt	Sifton	Silvey—12		

NAYS—Senators

Brown	Cunningham	Hegeman	Kehoe	Kraus	Libla	Munzlinger
Onder	Parson	Richard	Riddle	Sater	Schaefer	Schatz
Schupp	Wallingford	Walsh	Wasson	Wieland—19		

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

Senator Holsman requested a roll call vote be taken on the perfection of **SCS** for **SB 591**, as amended, and was joined in his request by Senators Schaaf, Schupp, Curls and Walsh.

Senator Parson moved that **SCS** for **SB 591**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS for SB 591**, as amended, was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Richard	Riddle	Sater
Schaefer	Schatz	Wallingford	Wasson	Wieland—19		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Romine	Schaaf
Schmitt	Schupp	Sifton	Silvey	Walsh—12		

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

COMMUNICATIONS

President Pro Tem Richard submitted the following:

December 7, 2015

Ms. Adriane Crouse
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

I appoint Senator Doug Libla to the Seismic Safety Commission. This appointment is due pursuant to statute 44.227 and the position is filling a current vacancy.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, former State Representative Melba Curls, Kansas City.

Senator Walsh introduced to the Senate, Mitchell McGill, Highland, Illinois; and Jonathan Connally, St. Joseph.

Senator Parson introduced to the Senate, Leroy Van Dyke, Sedalia.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 20, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 851-Brown	SB 878-Brown
SB 852-Brown	SB 879-Brown
SB 853-Brown	SB 880-Brown
SB 854-Brown	SB 881-Brown
SB 855-Pearce	SB 882-Romine
SB 856-Silvey	SB 883-Riddle
SB 857-Romine	SB 884-Munzlinger
SB 858-Romine	SB 885-Munzlinger
SB 859-Munzlinger	SB 886-Walsh
SB 860-Riddle	SB 887-Walsh
SB 861-Wieland	SB 888-Walsh
SB 862-Wieland	SB 889-Onder
SB 863-Wieland	SB 890-Emery
SB 864-Sater	SB 891-Schaefer
SB 865-Sater	SB 892-Chappelle-Nadal
SB 866-Sater	SB 893-Munzlinger
SB 867-Sater	SB 894-Munzlinger
SB 868-Wasson	SB 895-Hegeman
SB 869-Schmitt	SB 896-Hegeman
SB 870-Kraus	SB 897-Hegeman
SB 871-Wallingford	SB 898-Cunningham
SB 872-Munzlinger	SB 899-Parson
SB 873-Pearce	SB 900-Holsman
SB 874-Pearce	SB 901-Holsman
SB 875-Schaefer	SB 902-Silvey and Holsman
SB 876-Schatz	SB 903-Dixon
SB 877-Schatz	SB 904-Pearce

SB 905-Sifton	SB 920-Schmitt and Kraus
SB 906-Wasson	SB 921-Riddle
SB 907-Walsh and Schupp	SB 922-Riddle
SB 908-Sater	SB 923-Hegeman
SB 909-Sater	SB 924-Schaaf, et al
SB 910-Sater	SB 925-Sifton
SB 911-Wieland	SB 926-Riddle
SB 912-Schaaf	SB 927-Silvey
SB 913-Brown	SB 928-Munzlinger
SB 914-Brown	SB 929-Dixon
SB 915-Schaefer	SB 930-Emery
SB 916-Schaefer	SB 931-Schaefer
SB 917-Schaefer	SB 932-Cunningham
SB 918-Wallingford	SB 933-Curls
SB 919-Schmitt	SJR 35-Kraus

HOUSE BILLS ON SECOND READING

HB 1452-Hoskins	HB 1983-Dogan
HB 1575-Rowden	HB 1979-Rowden

SENATE BILLS FOR PERFECTION

SB 585-Wasson and Sater, with SCS

✓

Journal of the Senate

SECOND REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 20, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“A word fitly spoken is like gold.” (Proverbs 25:11)

Gracious Lord, we are so mindful how people listen to what we say and how they use our words for good or ill. So, help us to prepare well for what we say and write and be efficient and aware of those who are our audience. May we also be mindful of how we too listen, so we hear what is said and not what we may have thought was conveyed. And we pray, bless us to study and be disciplined in what we need to accomplish here that is helpful for others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1279, regarding James Andrzejewski, which was adopted.

CONCURRENT RESOLUTIONS

Senators Schupp, Keaveny, Walsh, Schaaf, Nasheed, Sifton, Holsman, Curls and Chappelle-Nadal offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 57

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 934—By Schaaf.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the participation of home school students in public school activities.

SB 935—By Wieland.

An Act to amend chapter 449, RSMo, by adding thereto twenty-four new sections relating to homeowners' associations.

SB 936—By Wallingford.

An Act to repeal sections 375.004 and 379.118, RSMo, and to enact in lieu thereof two new sections

relating to insurance policy change notices.

SB 937—By Wallingford.

An Act to repeal section 221.407, RSMo, and to enact in lieu thereof one new section relating to a sales tax for regional jail districts.

SB 938—By Wallingford.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to insurance policies covering property damage caused by earthquake activity.

SB 939—By Schaefer.

An Act to amend chapter 574, RSMo, by adding thereto one new section relating to the offense of terrorism, with a penalty provision.

SB 940—By Schmitt.

An Act to repeal section 167.765, RSMo, and to enact in lieu thereof one new section relating to brain injuries and concussions occurring in youth sports.

SB 941—By Dixon.

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to the regulation of proprietary schools.

SB 942—By Nasheed.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to the expungement of criminal records.

SB 943—By Schatz.

An Act to repeal section 386.572, RSMo, and to enact in lieu thereof one new section relating to civil penalties for violating federally mandated natural gas safety standards, with penalty provisions.

SB 944—By Schatz.

An Act to repeal section 319.045, RSMo, and to enact in lieu thereof one new section relating to the civil penalty for violating certain underground facility safety standards, with penalty provisions.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 585**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 585**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 585

An Act to repeal sections 211.393, 478.170, and 478.191, RSMo, and to enact in lieu thereof six new sections relating to the division of multicounty judicial circuits, with an emergency clause.

Was taken up.

Senator Romine assumed the Chair.

Senator Wasson moved that **SCS** for **SB 585** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 585** was declared perfected and ordered printed.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1452—Rules, Joint Rules, Resolutions and Ethics.

HB 1575—Rules, Joint Rules, Resolutions and Ethics.

HB 1983—Rules, Joint Rules, Resolutions and Ethics.

HB 1979—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 851—Transportation, Infrastructure and Public Safety.

SB 852—Transportation, Infrastructure and Public Safety.

SB 853—Veterans' Affairs and Health.

SB 854—General Laws and Pensions.

SB 855—Education.

SB 856—Ways and Means.

SB 857—Education.

SB 858—Commerce, Consumer Protection, Energy and the Environment.

SB 859—Jobs, Economic Development and Local Government.

SB 860—Judiciary and Civil and Criminal Jurisprudence.

SB 861—Jobs, Economic Development and Local Government.

SB 862—Small Business, Insurance and Industry.

SB 863—Small Business, Insurance and Industry.

SB 864—Financial and Governmental Organizations and Elections.

SB 865—Financial and Governmental Organizations and Elections.

SB 866—Financial and Governmental Organizations and Elections.

SB 867—Jobs, Economic Development and Local Government.

SB 868—Small Business, Insurance and Industry.

SB 869—Jobs, Economic Development and Local Government.

SB 870—Ways and Means.

SB 871—Commerce, Consumer Protection, Energy and the Environment.

SB 872—Financial and Governmental Organizations and Elections.

SB 873—Education.

SB 874—Education.

SB 875—Veterans’ Affairs and Health.

SB 876—Small Business, Insurance and Industry.

SB 877—Small Business, Insurance and Industry.

SB 878—Agriculture, Food Production and Outdoor Resources.

SB 879—Jobs, Economic Development and Local Government.

SB 880—Agriculture, Food Production and Outdoor Resources.

SB 881—Transportation, Infrastructure and Public Safety.

SB 882—Progress and Development.

SB 883—Seniors, Families and Children.

SB 884—Transportation, Infrastructure and Public Safety.

SB 885—Jobs, Economic Development and Local Government.

SB 886—Judiciary and Civil and Criminal Jurisprudence.

SB 887—Veterans’ Affairs and Health.

SB 888—Seniors, Families and Children.

SB 889—Small Business, Insurance and Industry.

SB 890—Judiciary and Civil and Criminal Jurisprudence.

SB 891—Judiciary and Civil and Criminal Jurisprudence.

SB 892—Jobs, Economic Development and Local Government.

SB 893—Judiciary and Civil and Criminal Jurisprudence.

SB 894—Agriculture, Food Production and Outdoor Resources.

SB 895—Jobs, Economic Development and Local Government.

SB 896—Seniors, Families and Children.

SB 897—Ways and Means.

SB 898—Ways and Means.

SB 899—Transportation, Infrastructure and Public Safety.

SB 900—Veterans’ Affairs and Health.

SB 901—Commerce, Consumer Protection, Energy and the Environment.

SB 902—General Laws and Pensions.

SB 903—Judiciary and Civil and Criminal Jurisprudence.

SB 904—Education.

SB 905—Seniors, Families and Children.

SB 906—Governmental Accountability and Fiscal Oversight.

SB 907—Small Business, Insurance and Industry.

SB 908—Veterans' Affairs and Health.

SB 909—Transportation, Infrastructure and Public Safety.

SB 910—Veterans' Affairs and Health.

SB 911—Small Business, Insurance and Industry.

SB 912—Veterans' Affairs and Health.

SB 913—Transportation, Infrastructure and Public Safety.

SB 914—Judiciary and Civil and Criminal Jurisprudence.

SB 915—Transportation, Infrastructure and Public Safety.

SB 916—Judiciary and Civil and Criminal Jurisprudence.

SB 917—Transportation, Infrastructure and Public Safety.

SB 918—Judiciary and Civil and Criminal Jurisprudence.

SB 919—Jobs, Economic Development and Local Government.

SB 920—Ways and Means.

SB 921—Seniors, Families and Children.

SB 922—Veterans' Affairs and Health.

SB 923—Transportation, Infrastructure and Public Safety.

SB 924—Financial and Governmental Organizations and Elections.

SB 925—Veterans' Affairs and Health.

SJR 35—Ways and Means.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 591**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion Senator Kehoe, the Senate recessed until 6:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 58** entitled:

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 58

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 29, 2015, propose a value for each of the eight grades of agricultural and horticultural land for the 2017 and 2018 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural grades beyond the level which the General Assembly considers to be fair and reasonable; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby disapprove the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 585**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 585** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Kehoe, the Senate repaired to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jeremiah W. “Jay” Nixon.

JOINT SESSION

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senator Cunningham—1

Absent with leave—Senator Schaaf—1

Vacancies—2

On roll call the following Representatives were present:

Present:

Adams	Alferman	Allen	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Barnes	Basye	Beard	Bernskoetter	Berry
Black	Bondon	Brattin	Brown 57	Brown 94	Burlison	Burns
Butler	Carpenter	Chipman	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Dunn	Eggleston	Ellington
Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gardner	Gosen	Green	Haahr
Hansen	Harris	Hicks	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubbard	Hubrecht	Hummel	Hurst	Johnson
Justus	Kelley	Kendrick	Kidd	King	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair	Lant	Lauer
Lavender	Leara	Lichtenegger	Love	Lynch	Marshall	Mathews
McCaherty	McCreery	McDaniel	McDonald	McGaugh	McGee	McNeil
Meredith	Messenger	Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman	Norr	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Roden	Roeber	Rone	Rowden	Rowland 155	Rowland 29
Runions	Ruth	Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker	Walton Gray

Webber White Wiemann Wilson Wood Mr. Speaker—153

Absent:

English Haefner Jones May McCann Beatty Nichols Otto
 Ross Smith Zerr—10

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

Governor Jeremiah W. (Jay) Nixon
2016 State of the State Address

Thank you, Lt. Gov. Kinder, Speaker Richardson, President Pro Tem Richard, members of the General Assembly, Judges of the Missouri Supreme Court, state officials, members of my cabinet and honored guests.

I'm also delighted to be joined this evening by Missouri's First Lady - my wonderful wife, Georganne, and our sons Jeremiah and Will.

Thirty-two years ago, I was a young Jefferson County lawyer beginning a campaign for the state Senate, asking people to believe in my passion, my work ethic and my vision.

The people of my home county gave me their votes and an opportunity for a life in public service that has brought me to this moment.

The world is a very different place than it was in 1984. But as people, our hopes, dreams and fears haven't changed.

And politics at its core isn't different at all. It is still a great contest of ideas and how to put them into action.

So tonight I want to highlight some of the real progress - and outline the perils of inaction - on the critical issues that face us now.

Growing up in DeSoto, I went to Central Elementary School. Back then, students with challenges were warehoused in a separate building. At recess, they were the targets of jeers.

I remember at a young age understanding that this was wrong, and trying my best to do something about it. That experience taught me some fundamental lessons that have stayed with me ever since.

We aren't all given the same gifts, but we all have the same rights. And our service will ultimately be measured at Heaven's doorstep by what we did - or did not do - to help those in need.

Seven years ago I stood right here and talked about our shared values as Missourians.

Those values haven't changed. Values don't.

And the goals of progress, based on those values, haven't changed either.

Tonight - my final time at this podium speaking to Missouri, to you in this room, and to history - I will be clear about my vision for a shared path forward...and the steps we can take to grow our economy, improve our schools, care for those in need and earn the trust of the people we serve.

And I pledge to you that I will do everything I can, with the power entrusted in me, to move us - to move you - to action.

Action carries risks. But it's the risk-takers who make history.

Inaction is always easier. But inaction is also a decision with real consequences. So tonight I ask all Missourians - and especially those in this room - to join with me.

Choose action over inaction to make life better for the people of our state.

Don't fight for partisan reasons - yours or mine. Instead, let's join together to fight for progress.

In my first state of the state address in 2009, I set five broad goals for our state based on values we share as Missourians. And on four of these five goals, we've taken huge strides.

My first priority was jobs... and since the worst of the downturn, more than 100,000 new jobs have been created in Missouri.

Second, as Chief Executive, I pledged to take the actions necessary to balance the state budget every year without raising taxes, because we believe in fiscal responsibility. We did so for seven straight years, and will continue on that path under my budget.

My third goal was to make college better and more affordable, because education is the key to our future. Today, Missouri is number one in the country for keeping a lid on tuition increases, and under my budget we'll stay number one this year.

My fourth goal was to provide more Missourians with better health care. Today, 100,000 more children have health care than the day I took office.

And this year, we'll make historic investments to help Missourians with developmental disabilities and mental illness live with dignity and hope.

The fifth goal I set was ethics reform. Let's get real ethics reform on my desk this session so I can sign it into law.

Honest, transparent and accountable state government starts with remembering what we're here to do, and who we're here to serve:

People like Sarah Galbraith and Alan Doan. Eight years ago, they took a risk and started the Missouri Star Quilt Company in the small town of Hamilton. Now it's the largest employer in Caldwell County - and brings thousands of visitors to Hamilton each year.

People like Rebecca Balfanz - a mother who grew up in foster care and who is now on track to finish her degree in elementary education early from WGU-Missouri, to make life better for her kids.

And people like Kelsey Mack. Kelsey has cerebral palsy, but she didn't let it stop her dream. She opened a shop in Blue Springs selling items made exclusively by people with disabilities, to help them be more independent and empowered.

Like so many Missourians, these folks didn't fold in the face of a challenge. They persevered. Because that's what the people of Missouri do.

Just a few short weeks ago, floodwaters inundated many parts of the state, claiming 16 lives and threatening hundreds more. And as always, Missourians stood together, and reached out to help their neighbors in need.

Let me share one remarkable story with you.

On Dec. 27, just after 2 a.m., a call went out to the Missouri State Highway Patrol about a man who had been swept away by the floodwaters of the Pomme de Terre River in Polk County.

Corporal David Brown and Trooper Robert Garrett sprang into action. As they neared the Highway 215 Bridge, they could hear someone shouting for help, but it was far too dark to see on that cold night.

In spite of the danger, they launched a jet boat into the raging river. As Trooper Garrett steered through the treacherous currents, their spotlight hit the face of a young man desperately clinging to the branches of a tree ten feet above the water's surface.

As the man began to climb down to his rescuers, he slipped and fell into the freezing river. Before the swift current could pull him under, Corporal Brown hauled him into the boat and got him safely to dry land.

Their training paid off; a life was saved.

The willingness to risk their lives for others is a defining characteristic of all those who answer the call to service - as first responders, law enforcement officers and members of the military. They run toward danger, not away from it.

Corporal Brown and Trooper Garrett, please stand. You represent all those who serve our state and our nation with honor. Please accept the thanks of your state.

As Governor, I've seen many natural disasters - from floods and drought, to ice storms and tornadoes. We seem to get more than our fair share.

Maybe that's why Missourians have such grit... fortitude... and a relentless work ethic. No one works harder or competes tougher.

That's why job creation was the first goal I set back in 2009 - and why it continues to be my top priority moving forward. In '09, Missouri's unemployment rate spiked to nearly 10 percent; today, it's down to only 4.4 percent - 4.4 percent, that's lower than the national average, and the lowest it's been in 15 years.

When I took office, the auto industry in Missouri was on life support. Today, it's back and booming, and Missouri is home to the most productive Ford plant in the world.

When I took office, a lot of talented entrepreneurs couldn't get access to the capital they needed.

Today, Missouri is number one in the nation in new business creation.

GDP is up, home prices have rebounded, and personal income continues to rise.

The state of our state is strong - and getting stronger each day. But we can't let up.

We need to keep our economy moving - keep our fiscal house in order, and keep our AAA credit rating intact.

The balanced budget I present tonight continues our commitment to my second goal: fiscal responsibility.

Over the last seven years, we've made state government smaller, smarter and more efficient - while making \$2 billion in cuts necessary to balance the budget. Not everyone liked those cuts, and they weren't easy to make. But Missouri is stronger today because we took action.

In an election year like this, there are folks out there who claim the size of government has grown, and that spending is out of control.

Maybe that's true in Washington. But not here in the Show-Me State.

Here in Missouri we balance our budgets, we pay the bills, and we pay down debt.

In fact, when I leave office, we will have less debt than when I came in.

State government today is 5,087 positions smaller than when I took office, and under my budget it will keep getting smaller. 5,000 is about the size of my hometown of DeSoto, or all of Putnam County.

Balancing budgets. Paying our bills. Protecting our AAA credit rating.

Responsibility and accountability matter - that's what taxpayers expect and what they deserve.

Our AAA rating is the gold standard. It tells businesses around the globe that the Show-Me State is a smart place to invest. And it's a big selling point for our state.

Time and time again it has been a deal-closer for Missouri - unlike Illinois, which can't even pass a budget, or Kansas, which can't even pay its bills.

And both of those states had their credit ratings downgraded. Meanwhile, Missouri's economy keeps growing.

Last week I was back at the auto show in Detroit, where - once again - the spotlight was on the all-new vehicles built with pride here in Missouri.

Before I took office, auto plants were closing; one out of every three jobs in the automotive industry in Missouri had disappeared. And the first time I went up to the Auto Show, the mood was grim.

Seven years later, more than 24,000 men and women are working at auto plants and suppliers in Warrensburg and Willow Springs; Perryville and Portageville; Mexico and Moberly; in Troy, Dexter, New Haven and, of course, St. Louis and Kansas City, where employment at the Ford and GM plants has more than doubled.

Today, Missouri workers build the toughest, safest, most innovative and in-demand vehicles in the world:

The Ford F-150 - America's best-selling pickup truck: Made in Missouri.

The 2016 Truck of the Year, the Chevy Colorado: Made in Missouri.

The best-selling commercial van in the U.S., the Ford Transit: Made in Missouri.

American made - Missouri strong.

And by rebuilding the American auto industry, we're helping rebuild the middle-class.

Last year every union worker at Ford and GM got a huge bonus: thousands of dollars, right into the pockets of the working men and women of our state. Those bonuses paid off credit cards and student loans... put Royals hats and Cardinals jerseys under the Christmas tree... and poured tens of millions of dollars into our economy.

Last year, if you'll recall, we were joined by a crowd of cheering autoworkers who came to the Capitol to show their gratitude for the work we did here.

They're not here tonight - because they're working. Demand is so high they even had to give up lunch breaks at the GM plant.

So next time you see one of those shiny new Colorados or F-150s, remember who built them: skilled union workers, making good union wages, and keeping the American dream alive right here in the Show-Me State.

But the economic growth we've seen isn't just in Kansas City and St. Louis, it's in Sedalia and Springfield, St. Joe and Joplin.

Joplin...where the population is greater today than it was before the tornado in 2011, and where the economy is going strong.

With faith and courage, the people of Joplin rebuilt their community from the ground up - planting trees and painting murals; rebuilding homes and hospitals, schools and churches, playgrounds and businesses.

One of those new businesses belongs to Toby Teeter, an entrepreneur I met at Joplin's Newman Innovation Center. About a year ago, Toby started a tech company called LocalRaces.com. It builds websites that communities and charities can use to organize running events, from 5ks to marathons.

Toby's biggest challenge was finding the funds he needed to get his concept up and running. Our Missouri Technology Corporation provided \$100,000 in seed capital that Toby was able to match with private investments. Today, Local Races dot com is growing, and hiring - creating high-tech jobs in the heart of Joplin.

Please join me in recognizing Toby, his wife Ashleigh, and all the entrepreneurs who are helping to make Missouri a hub of technology and innovation.

Thanks to the work we've done here, MTC has already helped startups across the state leverage more than \$200 million in private investment.

Maybe that's why recent census data showed that Missouri was number one in the nation in creating new businesses - number one.

While new business creation declined in 39 states, Missouri bucked that trend with a dramatic increase in startups. That's a very big deal.

To continue this momentum, my budget increases funding for the Missouri Technology Corporation by \$10 million to help more entrepreneurs innovate and grow right here in the Show-Me State.

Tourism is another important part of our economy.

That's why, when I took office, I wanted to reverse a 10-year decline in state park attendance. While budget cuts forced other states to close parks or charge entrance fees, we kept ours open - and free for all.

Missouri has been recognized as the best state in the nation for camping and hiking. Last year, our state parks had more than 19.2 million visitors. That's a new record and an increase of nearly 30 percent since 2008. More young people are out hunting in our woods and fishing in our lakes and streams.

With our focus on marketing Missouri to the world, tourism's economic impact in the Show-Me State has surged by nearly 30 percent, supporting nearly 300,000 jobs. To continue this success, my budget this year includes another \$3 million to get the word out about all Missouri has to offer.

For example, this year, we will extend the Katy Trail all the way across our state and expand our park system, giving folks even more reasons to enjoy the outdoors, and spend money in the Show-Me State.

When we talk about ways to keep our economy moving forward, we've got to include Missouri's number one industry: agriculture.

My budget includes funding for scholarships for the next generation of Missouri dairy farmers, and additional resources to increase the value of our cattle industry.

I would like to recognize our outstanding Agriculture Director Richard Fordyce, up in the gallery. He's got a great group of folks with him tonight: the hardworking producers who earned the Governor's Award for Agricultural Achievement.

People talk about agriculture being the backbone of our state. Well, these folks are the backbone of agriculture.

When your alarm clock goes off in the morning, they're already up, breaking the ice in the stock tank.

When you're kicking back in the recliner after dinner to watch your favorite TV show, they're out in the shed, working on the tractor.

This year's winners hail from every part of our state - New Madrid to Norborne, Aurora to Fayette - raising corn, beans, apples, timber, chickens and hogs.

Please join me in thanking them for all they do to feed, fuel and clothe our state, our nation and our world.

Our producers are doing their part. Now we have to do ours.

We can't sell Missouri goods if we can't get them to market.

That's why my budget invests an additional \$5 million to improve and expand our ports - so we can ship more Missouri goods around the world and create more jobs here at home.

We've also got too many bad roads and rickety bridges. We all know it, and it's time to act.

Roads aren't free. Last time I checked, nobody was giving away concrete and asphalt.

I've been clear about my position: if you use the roads, you should help pay for them. What I don't support is taking money that should go to schools, law enforcement and mental health, and using it to patch potholes.

With gas prices the lowest they've been in more than a decade, now is the time to get this done.

Senator Libla, I appreciate your leadership in this area. I'm looking for your bill to move into the passing lane and get to my desk this year. Let's work together to move transportation forward in Missouri.

Another way we can continue to strengthen our economy is by strengthening Missouri families. Finding good, affordable childcare is a challenge for every working family in America - and especially those with low incomes. That's why my budget makes child care more affordable for 20,000 low-income working families, reducing their out-of-pocket costs.

And this year, we are going to expand family-friendly policies like parental leave for state employees.

It's good for kids, it's good for families - and it's good for our state.

We need to strengthen all families.

In July, I signed an executive order to ensure compliance with the U.S. Supreme Court's decision establishing a right to same-sex marriage. No one should be discriminated against because of who they love.

We've come a long way on this issue, but there is more to be done. It is unacceptable that Missourians can still be fired for being gay. That's wrong, it's not who we are - and it must change.

I repeat my call for the General Assembly to pass the Missouri Nondiscrimination Act, which would prohibit discrimination against LGBT Missourians in employment, housing and public accommodations.

Equal opportunity and social justice go hand-in-hand; one cannot exist without the other.

We are upholding these principles and restoring trust through sweeping municipal court reforms and improved police training.

Our POST Commission has put forward strong new rules to update and enhance Missouri's police training standards. We also need to update our use of force statute. Let's support our cops - and the communities they serve. Let's get this done.

The third priority I identified when I took office was education. Public education is the best economic development tool we've got, and it's a value we share.

Our children need an education that prepares them to be critical thinkers and problem-solvers - innovators who will rise to the challenges of climate change and food production, harness clean energy, and conquer disease.

That's why, even during the worst of the recession, we never backed away from our commitment to support our public schools. We provided record funding - and set higher expectations.

There were some who doubted whether our students and schools were up to the challenge, who said the new state standards were too tough, too ambitious.

I disagreed. I knew that if we raised our expectations, our students would rise to meet them. No gimmicks or voucher schemes - just great teachers, the right tools, strong communities, and a shared commitment to excellence.

And we are getting results. Test scores are rising. Our graduation rate is now in the top 10 in the nation. And more high school graduates are college ready.

My budget ensures that education remains a top priority with an increase of \$150 million - record funding - for our local public schools.

That includes funding for the foundation formula, special education, transportation, and struggling school districts.

And for the first time, we'll be funding early childhood education through the foundation formula, giving more than 2,500 kids access to high quality pre-school this year.

Under my budget, troubled schools will get the early-intervention and support they need to turn things around. And more students in low-income communities will have the opportunity to learn 21st Century skills like computer science.

These investments in our future are possible because over the last seven years - even in the throes of the Great Recession - we kept our fiscal house in order and made smart decisions about our priorities, like education.

Because we did, the budget I present tonight invests \$400 million more in the K-12 foundation formula than when I became Governor.

Funding is an essential part of the equation for successful schools. So is the drive to succeed.

Tonight we are joined by Dr. Scott Spurgeon, superintendent of the Riverview Gardens School District in St. Louis County, and some of Riverview's outstanding high school seniors.

The district includes areas of high crime, poverty and unemployment. Like so many urban school districts, that combination can create tough challenges for teachers, students and families. But under Dr. Spurgeon's dynamic leadership, the district has rallied.

Dr. Spurgeon played some serious baseball as a young man. He knows what it takes to compete and to win.

So it shouldn't come as a surprise that Riverview was the most improved school district in the state last year, and continues to make dramatic progress. You want to see what relentless focus and hard work can do?

Meet the outstanding, college-bound students here with us tonight - Cameron Johnson, Darius Bass, Cordell Billups, Kristofer Grant, Devyn Walton and Shannon Washington.

Please join me in congratulating Dr. Spurgeon and these talented young people.

In 2009, too many kids couldn't afford college - and those who did get a degree were saddled with too much debt.

But today, more kids are going to college, getting their degrees - all while taking on far less debt than the national average. We're talking thousands of dollars less.

In fact, Missouri is number one in the nation in holding down tuition increases at our four-year institutions. Number one.

This year, we will strengthen Missouri's position as a leader in college affordability and quality.

First, my budget includes an additional \$56 million in performance funding. And with this historic investment, our public colleges and universities will once again freeze tuition for Missouri undergraduates this fall. They won't pay a penny more.

We're also upping our investment in Missouri's A+ scholarship program to keep up with increasing demand. When I took office, fewer than half the schools in the state were A+, but today nearly all of them are - because I believed every student deserved an opportunity to earn an A+ scholarship.

For low-income families, we're putting more money in Access Scholarships - reducing the cost of college for tens of thousands of students.

By focusing on affordability and demanding quality, we've driven a surge in college completion. Last year, more than 50,000 students earned a degree from one of our public institutions - up 36 percent since I took office.

Thirty-six percent. That's a big number - and a lot of proud parents.

My budget provides more resources to train even more Missourians for careers in high-demand health care fields.

And thanks to people in this room and our AAA credit rating, there are construction projects underway right now on campuses across the state: an engineering building at Mizzou, chemistry and biology labs at UMKC and Missouri S&T, renovations at Baldwin Hall at Truman, 19 new labs at St. Louis Community College... and the list goes on.

The best way to secure our future is by investing in the people who will lead it - the next generation. We're making a difference. Let's keep it up.

Let's also work together to protect kids and consumers by reining in the billion-dollar daily fantasy sports industry.

Let's get real: this is gambling, kids are playing, and it's completely unregulated. And there are lobbyists in this building who want to keep it that way. If you're going to legalize it, we must regulate it and tax it just like we do casinos.

This industry should follow the law, play by the rules, and pay its fair share. This could mean millions of dollars a year for education.

I spoke earlier about the children with special needs at my elementary school, who were made fun of on the playground because they were different. Doing more for children like them has been a passion of mine ever since.

When I took office, insurance companies didn't cover therapy for thousands of Missouri kids with autism. Today, thousands of children are receiving life-changing therapy because we worked together and passed landmark autism legislation.

And with increased funding in my budget, we will build a new autism center at Truman State University, expand the Thompson Center for Autism in Columbia, and increase services at Mercy Kids Autism Center in St. Louis. That means more research, more treatment, better training and healthier kids.

When I took office, Missourians with developmental disabilities had to wait years for in-home Medicaid services. Today, there is no waiting list. Zero.

Under my budget, it will stay at zero - and we'll provide additional resources to those who care for Missourians with developmental disabilities.

We also need to reach out to those Missourians with severe mental illness.

When I took office, some of these people were locked up in a dangerous and decrepit facility in Fulton, first opened in 1851. It will soon be replaced by a state-of-the-art psychiatric hospital dedicated to modern treatment, rehabilitation and research.

Too often Missourians with severe mental illness can't afford the treatment they need. And so they bounce in and out of our jails and emergency rooms - and back out onto the streets. It's expensive, counterproductive and no way for anyone to live.

My budget includes \$1.6 million to get those folks out of our emergency rooms, off the streets, and into treatment.

Today, in every county in the state, mental health professionals are partnering with local law enforcement to help those suffering from chronic mental illness find treatment and stability.

But our work is not finished.

Our goal is to help more individuals get into treatment earlier, before they reach a crisis point.

That's why this year we will roll out a crisis prevention program for Missourians between the ages of 21 and 35 with serious mental illness and substance abuse problems.

And while we're at it, Missouri needs to join the other 49 states in the nation, get a prescription drug monitoring program, and start to get a handle on the epidemic of opiate abuse.

In total, my budget includes an increase of nearly \$200 million for services to help Missourians with developmental disabilities and mental illness.

These programs change lives. They save lives. We can work together to make our communities safer, healthier and stronger.

We also need to provide quality care for our proud veterans, including thousands of men and women who served in Vietnam. Last year, I signed legislation to provide \$33 million in improvements to our veterans' homes.

But we can do more. My budget includes funds for the design of a new veterans home, so that no veteran has to languish on a waiting list.

They did their duty - let's do ours.

There's a lot of rhetoric in politics today about helping working families. How about helping them get health care?

Right now we've got a backward system in our state. It encourages folks to sit at home and not work, and punishes working Missourians with jobs that don't offer health insurance.

More than 30 states already have expanded Medicaid, including ten with Republican legislatures.

This should be the year that we find a way forward, with a Missouri solution that rewards work, demands personal responsibility, brings our tax dollars home, and gives health care to 300,000 working Missourians.

Make no mistake - inaction has real consequences. It's time to stop playing politics with people's lives. Do the right thing and give them access to health care.

The fifth goal I set when I took office was ethics reform. Missouri's ethics laws are a disgrace - the weakest in the nation.

The people of Missouri are nobody's fools. They understand that a donor who writes you a fat check expects something in return.

They know that if a lobbyist showers you with gifts, or takes you to the country club for cocktails and the surf-and-turf, he's going to lean on you before dessert.

They know it's wrong for legislators to launder campaign contributions by paying each other for political advice. Missouri has got to clean up its act.

I want to thank Speaker Richardson for pushing forward on this issue. But we're a long way from the finish line. Let's come together, restore the public's trust and pass real ethics reform now.

Before I close, I'd like to introduce you to a family that demonstrates the kind of difference we can make when we work together.

Paul and Jennifer Johnson are originally from Indiana. Paul was an electrician at the GM plant in Kokomo, and Jennifer was a stay-at-home mom. But in Indiana, GM was downsizing and Paul got laid off. He had just drawn his last unemployment check when he got an offer to work at the GM plant here in Missouri. He jumped at the chance.

Six months later, Jennifer got a job at the plant as well. Now they're both building next-generation vehicles here in the Show-Me State.

They like living in Wentzville so much that they convinced their daughter and her two kids to move nearby. Jennifer says the school district is awesome.

But the biggest upside of their move is how well their grandson, Tristan, is doing. Tristan has autism. Before their move to Missouri, he was nonverbal. But with the help of therapy, he's now speaking - and thriving. Jennifer says it's had a huge impact on their family.

Paul and Jennifer are here with us tonight and I want to thank them for reminding us what Missouri is all about. We work hard. We build things. We care for people who need it. And we welcome everyone.

In the past three decades, I've learned a great deal from the people I've had the privilege to serve.

I've learned that Missourians are stronger, more resilient and more generous than you could ever imagine.

I've learned that Missouri's rich diversity is not a weakness - it's a strength.

I've learned that Missourians never shy away from a challenge. We listen, we learn and we get better.

I've also learned that there's a big difference between politics and public service.

Politics is a horse race, but the stakes are much higher than winning the election. The real prize is the opportunity to make life better - for people you don't know and may never meet.

And I am profoundly grateful that the people of Missouri have given me that high honor.

My mom taught kids with developmental disabilities. She worked hard at a job she loved, cared deeply for others, and always stood up for what she knew was right.

She passed away before I became a state senator. But I am still trying to live up to her expectations and ideals - that we have an obligation to serve all Missourians: young and old, rich and poor, black and white, gay and straight, new arrivals and native sons.

And when we work together - guided by our shared values - and focus on the right things, we can make a lasting difference.

When I started in this job, Missouri was staring down the barrel of a crisis - unemployment was skyrocketing, factories were closing, and people were losing their homes and cars.

Some of you were here then - Senator Walsh, Senator Wasson, Representative Engler - you remember: it was rough.

We were getting WARN notices practically every day about layoffs.

But we had a plan. We stuck to it.

And we delivered: a hundred thousand new jobs; a balanced budget every year without higher taxes; better schools and affordable college; and healthier kids.

Do we have more work to do? Of course.

But look where we are now: 4.4 percent unemployment, personal income and GDP on the rise, number one in new business creation, AAA

credit rating intact.

I appreciate those of you in this room who put progress before partisanship to move our state forward.

But as always, the real credit belongs to the people of Missouri.

Together, Missourians of every generation have worked hard to build a brighter future.

Our enduring values have guided us through good times and bad.

And because I share those values, I am optimistic about our future - optimistic that the people of Missouri will prevail in the face of every challenge, and enjoy the blessings of freedom, equality and prosperity for years to come.

Let's use the brief time that remains to each of us, to work together and leave Missouri better than we found it.

God willing, it will be.

Thank you and God bless.

On motion of Senator Kehoe, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Pro Tem Richard.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1280, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Cochran, Lebanon, which was adopted.

Senator Pearce offered Senate Resolution No. 1281, regarding King Henry Roberson, Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Don Danner, Jeanne Dee, and Tom Hilton, St. Louis; Grover and Sondra DePriest, Savannah; Sonny Evers, Eldon; Jim Hillin, Cape Girardeau; Shelly Hulet, St. Joseph; Pamela Ives Hill, Centertown; Jennifer Jacobs, Linn; Bob Letterman, Brent Wilson and Steve York, Lee's Summit; Dave Myers, Springfield; Nick Myers, Joplin; and Jim Tompkins, Kansas City, members of the Missouri Society of CPAs.

On behalf of Senator Wallingford and himself, the President introduced to the Senate, Zach Bell, Sikeston.

Senator Holsman introduced to the Senate, Bob Letterman, Lee's Summit.

Senator Keaveny introduced to the Senate, the Physician of the Day, Dr. Matt Casey, St. Louis.

Senator Riddle introduced to the Senate, Dr. Ken Haller, Dr. Sandra McKay, Dr. Linh Pham, Dr. Beth Simpson, Dr. Kristin Sohl, and Dr. Stuart Sweet, members of the Missouri Chapter of the American Academy of Pediatrics.

Senator Richard introduced to the Senate, former State Senator Delbert Scott.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

NINTH DAY—THURSDAY, JANUARY 21, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 926-Riddle
SB 927-Silvey
SB 928-Munzlinger
SB 929-Dixon
SB 930-Emery
SB 931-Schaefer
SB 932-Cunningham
SB 933-Curls
SB 934-Schaaf
SB 935-Wieland

SB 936-Wallingford
SB 937-Wallingford
SB 938-Wallingford
SB 939-Schaefer
SB 940-Schmitt
SB 941-Dixon
SB 942-Nasheed
SB 943-Schatz
SB 944-Schatz

THIRD READING OF SENATE BILLS

SCS for SB 591-Parson

SCS for SB 585-Wasson and Sater
(In Fiscal Oversight)

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 57-Schupp, et al

HCS for HCR 58

✓

Journal of the Senate

SECOND REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 21, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have put gladness in my heart more than when grain and wine and oil increase.” (Psalm 4:7)

O Lord, as we complete this week and head back home to those we love, make our hearts experience the joy and warmth we have for them and share those thoughts and feelings with them. And, let us find ways to honor their sacrifice for us and show our appreciation for what they have done to help us, so we can do what You have given us to do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 1282, regarding the Chinese Year of the Red Monkey, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 945—By Munzlinger.

An Act to amend chapter 142, RSMo, by adding thereto one new section relating to economic subsidies for qualified gaseous biofuel producers.

SB 946—By Emery.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the authority of municipalities to offer certain services.

SB 947—By Parson.

An Act to amend chapter 379, RSMo, by adding thereto five new sections relating to transportation network company insurance.

SB 948—By Parson.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for contributions to organizations meeting hunger, health, and hygiene needs of schoolchildren.

SB 949—By Wasson.

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes.

SB 950—By Wasson.

An Act to repeal section 143.591, RSMo, and to enact in lieu thereof one new section relating to tax returns of information.

SB 951—By Wasson.

An Act to repeal sections 436.405, 436.430, 436.450, 436.455, 436.456, 436.457, and 436.460, RSMo, and to enact in lieu thereof seven new sections relating to preneed funeral contracts.

SB 952—By Walsh, Schupp, Chappelle-Nadal, Holsman, Curls, Nasheed and Sifton.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 953—By Schupp, Holsman and Curls.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to increasing the minimum wage.

SB 954—By Pearce.

An Act to repeal section 169.070, RSMo, and to enact in lieu thereof one new section relating to school employee retirement, with an emergency clause.

SB 955—By Sifton, Holsman, Schupp, Curls and Walsh.

An Act to repeal sections 105.456 and 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to banning lobbyist gifts.

SB 956—By Chappelle-Nadal.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to municipal debt.

SB 957—By Chappelle-Nadal.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage.

SB 958—By Holsman, Curls, Chappelle-Nadal, Schupp, Nasheed, Walsh and Sifton.

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table program.

SB 959—By Holsman.

An Act to repeal section 82.1026, RSMo, and to enact in lieu thereof one new section relating to vacant nuisance properties in certain cities.

SB 960—By Wieland.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to workers' compensation large deductible policies, with an emergency clause.

SB 961—By Nasheed, Schupp, Chappelle-Nadal, Holsman, Curls, Walsh and Sifton.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 962—By Curls, Holsman, Sifton and Schupp.

An Act to repeal section 610.100, RSMo, and to enact in lieu thereof four new sections relating to video recorders used by law enforcement agencies.

SB 963—By Wallingford.

An Act to repeal sections 210.110, 211.031, and 211.036, RSMo, and to enact in lieu thereof four new sections relating to the children's division.

SB 964—By Wallingford.

An Act to repeal sections 452.375, 452.400, and 452.410, RSMo, and to enact in lieu thereof three new

sections relating to child custody orders.

SJR 36—By Parson.

Submitting to the qualified voters of Missouri, an amendment repealing section 20 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the legislative sessions of the general assembly.

SJR 37—By Chappelle-Nadal, Holsman, Schupp, Curls, Nasheed, Walsh and Sifton.

Submitting to the qualified voters of Missouri, an amendment repealing section 3(a) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the full funding of public elementary and secondary education.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolutions were read the 2nd time and referred to the Committees indicated:

SCR 57—Rules, Joint Rules, Resolutions and Ethics.

HCS for HCR 58—Rules, Joint Rules, Resolutions and Ethics.

THIRD READING OF SENATE BILLS

SCS for SB 591, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 591

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS for SB 591** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Sater	Schaefer	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Romine	Schmitt
Schupp	Sifton	Walsh—10				

Absent—Senator Silvey—1

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SCS** for **SB 585**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 585**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 585

An Act to repeal sections 211.393, 478.170, and 478.191, RSMo, and to enact in lieu thereof six new sections relating to the division of multicounty judicial circuits, with an emergency clause.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 585** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Stephanie M. Allen and Jeanenne M. Dallas, as members of the Missouri Board of Occupational Therapy;

Also,

Amy Beechner-McCarthy, as a member of the Children's Trust Fund Board;

Also,

Phillip Britt, Democrat, as a member of the Southeast Missouri State University Board of Regents;

Also,

Maida J. Coleman, as a member of the Public Service Commission;

Also,

Melba J. Curls, Democrat, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Gary D. Dusenberger, Republican and Jennifer M. Zamkus, Democrat, as members of the Board of Probation and Parole;

Also,

Scott C. Englund, as a member of the Missouri Veterans' Commission;

Also,

Ashton N. Frank, as a member of the Advisory Commission For Dental Hygienists;

Also,

Jennifer S. Griffin, as a member of the Board of Therapeutic Massage;

Also,

Alison R. Hershewe, Democrat, as a member of the Missouri Southern State University Board of Governors;

Also,

Jeffery A. Hughley, Jr., as a member of the Peace Officer Standards and Training Commission;

Also,

Garry Kemp, Democrat, as a member of the Jackson County Sports Complex Authority;

Also,

Douglas R. Kennedy, Democrat, as a member of the Coordinating Board For Higher Education;

Also,

Richard F. Lombardo, Democrat, as a member of the Missouri Gaming Commission;

Also,

Beverly Miller, Democrat, Gregory V. Spears, Republican, and Carrie Tergin, Republican, as members of the Missouri State University Board of Governors; and

Elyn G. Potter, as a member of the Board of Geologist Registration.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 572**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 765**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, on behalf of Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 580**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 639**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 655**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 657**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SJR 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 579**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 635**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 677**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCR 51** and **SCR 52**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NOS. 51 & 52

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Whereas, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

Whereas, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 29, 2015, propose a value for each of the eight grades of agricultural and horticultural land for the 2017 and 2018 assessment years, with changes to grades 1 through 4; and

Whereas, the members of the General Assembly believe that the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural grades beyond the level which the General Assembly considers to be fair and reasonable; and

Whereas, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby disapprove the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 46**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 43**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 43

Whereas, the Missouri State Capitol is the people's building; and

Whereas, the Constitution of the state of Missouri affirms the right of the people to petition their elected officials; and

Whereas, the members of the General Assembly have noted the continuing need for increased space in the State Capitol building for the citizens of this state, including those with physical disabilities, to exercise fully this right and meet with their elected representatives; and

Whereas, currently, a sizeable number of legislative offices are located in physical spaces that cannot be accessed by those citizens with physical disabilities; and

Whereas, statewide elected officers and other entities currently occupy physical space in the State Capitol building for job duties that could be performed in other state-owned buildings; and

Whereas, in order to ensure accessibility to the State Capitol building for all citizens of this state and accommodate the needs of the public, it is necessary to reallocate, for use by the General Assembly, physical space currently utilized by certain statewide elected officers and other entities listed in this resolution; and

Whereas, section 8.010, RSMo, establishes the Board of Public Buildings and grants it general supervision and charge of the public property of the state at the seat of government; and

Whereas, subsection 1 of section 8.460, RSMo, states “The board of public buildings may build an office building in the City of Jefferson to house state offices which are presently located in rented quarters within the county of Cole, and they shall remove as many offices from the State Capitol building as the General Assembly deems necessary to provide adequate space for its members”; and

Whereas, the General Assembly is duty bound to investigate the appropriate space needs of the members of the General Assembly in the State Capitol building in order to demand the Board of Public Buildings to remove the appropriate number of offices from the State Capitol building;

Now Therefore Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the “Joint Committee on Capitol Improvements” to examine the appropriate space needs of the General Assembly, certain statewide elected officers, and other entities within the State Capitol building; and

Be it further resolved that the Joint Committee on Capitol Improvements shall be composed of the President Pro Tempore of the Senate, the Speaker of the House of the Representatives, two members of the Senate appointed by the President Pro Tempore of the Senate, two members of the House of Representatives appointed by the Speaker of the House; two members of the Senate appointed by the Senate Minority Leader, and two members of the House of Representatives appointed by the House Minority Leader. The President Pro Tempore and the Speaker of the House shall be co-chairpersons of the Committee. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as one or both of the chairpersons designate; and

Be it further resolved that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate and the Committee on Legislative Research; and

Be it further resolved that the Joint Committee may prepare a final report, together with its recommendations for any demands for reallocation of space within the State Capitol building to the Board of Public Buildings pursuant to subsection 1 of section 8.460, RSMo, for submission to the General Assembly by December 31, 2016, at which time the Joint Committee shall be dissolved; and

Be it further resolved that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

Be it further resolved that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingent Fund; and

Be it further resolved that the Joint Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-eighth General Assembly and the First Regular Session of the Ninety-ninth General Assembly through December 31, 2016, as acknowledged by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957).

Senator Pearce assumed the Chair.

Senator Hegeman assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 926—Jobs, Economic Development and Local Government.

SB 927—Jobs, Economic Development and Local Government.

SB 928—Agriculture, Food Production and Outdoor Resources.

SB 929—Judiciary and Civil and Criminal Jurisprudence.

SB 930—Education.

SB 931—Judiciary and Civil and Criminal Jurisprudence.

SB 932—Financial and Governmental Organizations and Elections.

SB 933—Transportation, Infrastructure and Public Safety.

SB 934—Education.

SB 935—Commerce, Consumer Protection, Energy and the Environment.

SB 936—Small Business, Insurance and Industry.

SB 937—Jobs, Economic Development and Local Government.

SB 938—Small Business, Insurance and Industry.

SB 939—Judiciary and Civil and Criminal Jurisprudence.

SB 940—Veterans’ Affairs and Health.

SB 941—Education.

SB 942—Judiciary and Civil and Criminal Jurisprudence.

SB 943—Commerce, Consumer Protection, Energy and the Environment.

SB 944—Commerce, Consumer Protection, Energy and the Environment.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 53**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1283, regarding Paris Jones, Columbia, which was adopted.

Senator Kraus offered Senate Resolution No. 1284, regarding Todd Hulse, which was adopted.

Senator Kraus offered Senate Resolution No. 1285, regarding Victor B. “Vic” Allred, Parkville, which was adopted.

Senator Kraus offered Senate Resolution No. 1286, regarding Russell “Buddy” Lahl, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Kyler Cliffman, Nevada.

Senator Romine introduced to the Senate, Haley Tarvin, Springfield.

Senator Chappelle-Nadal introduced to the Senate, Taylor Harrington, Lucas Woodling and Luis de Leon, Columbia.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, January 25, 2016.

SENATE CALENDAR

TENTH DAY—MONDAY, JANUARY 25, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 945-Munzlinger	SB 956-Chappelle-Nadal
SB 946-Emery	SB 957-Chappelle-Nadal
SB 947-Parson	SB 958-Holsman, et al
SB 948-Parson	SB 959-Holsman
SB 949-Wasson	SB 960-Wieland
SB 950-Wasson	SB 961-Nasheed, et al
SB 951-Wasson	SB 962-Curls, et al
SB 952-Walsh, et al	SB 963-Wallingford
SB 953-Schupp, et al	SB 964-Wallingford
SB 954-Pearce	SJR 36-Parson
SB 955-Sifton, et al	SJR 37-Chappelle-Nadal, et al

HOUSE BILLS ON SECOND READING

HJR 53-Dugger

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--------------------------------|
| 1. SB 572-Schmitt, with SCS | 6. SJR 19-Munzlinger, with SCS |
| 2. SB 765-Schmitt, with SCS | 7. SB 578-Keaveny, with SCS |
| 3. SB 580-Schaaf, with SCS | 8. SB 579-Schaaf, et al |
| 4. SB 655-Munzlinger | 9. SB 635-Hegeman |
| 5. SB 657-Munzlinger, with SCS | 10. SB 677-Sater |

INFORMAL CALENDAR

CONSENT CALENDAR

Senate Bills

Reported 1/21

SB 639-Riddle

RESOLUTIONS

Reported from Committee

SCRs 51 & 52-Kraus, with SCS
SCR 46-Schmitt

SCR 43-Richard, with SCS

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Journal of the Senate

SECOND REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 25, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Dixon offered the following prayer:

In the 29th Psalm, we read: “Give unto the Lord, O you mighty ones. Give unto the Lord glory and strength. Give unto the Lord the glory due to His name.”

Architect of each one of us, we pause and humble ourselves before You. We remind ourselves that we are not the masters of our own destiny nor the hope of Your people. We enthrone You in those places. We ascribe glory and strength to Your name, we ask for help and enlightenment as we try to best serve Your people, and we resound, “Blessed Be The Name Of The Lord!” Baruch HaShem Adonai. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 21, 2016, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 1287, regarding Okley Clark, Saint Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 1288, regarding the Stages Saint Louis, Chesterfield, which was adopted.

Senator Emery offered Senate Resolution No. 1289, regarding the 2015 State Champion Lamar High School football team, which was adopted.

Senator Pearce offered Senate Resolution No. 1290, regarding the death of Shermaine Riggins, Marshall, which was adopted.

Senator Curls offered Senate Resolution No. 1291, regarding the death of Judith Ann Groves, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 1292, regarding Judy Jett, Warrensburg, which was adopted.

Senator Libla offered Senate Resolution No. 1293, regarding John William Ringer, Dexter, which was adopted.

Senator Cunningham offered Senate Resolution No. 1294, regarding the Piney River Brewing, Bucyrus, which was adopted.

Senator Cunningham offered Senate Resolution No. 1295, regarding Hazel Redburn, West Plains, which was adopted.

Senator Pearce offered Senate Resolution No. 1296, regarding Chillicothe, which was adopted.

Senators Schatz, Romine, Walsh and Wieland offered Senate Resolution No. 1297, regarding the SITE Improvement Association, St. Charles, which was adopted.

Senator Holsman offered Senate Resolution No. 1298, regarding Eagle Scout David Bradfield “Brad” Parker, which was adopted.

Senator Holsman offered Senate Resolution No. 1299, regarding John L. Schaefer, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 1300, regarding Eagle Scout Jake A. Reed, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1301, regarding Eagle Scout Trevor James Reynolds, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1302, regarding Eagle Scout Sam S. Espey, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1303, regarding Eagle Scout David Ross Westenhaver, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1304, regarding Eagle Scout Landon K. Demel, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1305, regarding Eagle Scout Matthew W. Bissen, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1306, regarding Eagle Scout Christopher Lee Underwood,

Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1307, regarding Eagle Scout Robert Leo Burgess, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1308, regarding Eagle Scout Adrian Dale, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1309, regarding Eagle Scout Jonathan James Larimore, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1310, regarding Eagle Scout Ryan Michael Sheehan, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1311, regarding Eagle Scout Miles Drake Barry, Warrensburg, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **SCR 43**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **SCR 43** was taken up.

Senator Richard moved that **SCS** for **SCR 43** be adopted, which motion prevailed.

On motion of Senator Richard, **SCS** for **SCR 43** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—2

Senators Keaveny, Pearce, Walsh, Wieland, Richard, Sifton, Schmitt, Nasheed, Kehoe and Onder offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 58

Whereas, the National Geospatial-Intelligence Agency West Campus Headquarters, now located in the southern area of St. Louis, is currently considering a new site in the St. Louis region to build a new facility; and

Whereas, the state of Missouri has shown its resolve to build a new facility in Missouri by authorizing an additional twelve million dollars per year to the tax increment financing cap to be used solely for projects for the retention of the National Geospatial-Intelligence Agency in Missouri; and

Whereas, the new National Geospatial-Intelligence Agency facility would result in major benefits to the visual character of the site and other non-major benefits such as health and safety improvement, construction spending, induced employment, cleanup of existing hazardous contamination, and land use improvements; and

Whereas, the short-term and long-term economic potential of this project will leave a positive impact on the city and the state for years and generations to come; and

Whereas, the North St. Louis building site is the preferred location for the next National Geospatial Agency West facility as the state seeks to rebuild North St. Louis through jobs, safety, and more economic development opportunities; and

Whereas, both the St. Louis County Executive and the Mayor of St. Louis agree the North St. Louis site is ideal:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the National Geospatial Intelligence Agency to remain in Missouri and construct a new facility at the proposed St. Louis building site; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the National Geospatial-Intelligence Agency, Robert Cardillo.

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 59

Whereas, the growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth Amendments to our Constitution; and

Whereas, federal regulators must be more accountable to elected representatives of the people, and not immune from such accountability; and

Whereas, the United States House of Representatives has passed with bipartisan support the Regulations from the Executive in Need of Scrutiny (REINS) Act to require that Congress approve major new federal regulations before they can take effect; and

Whereas, even if enacted, a law may be repealed or waived by a future Congress and President:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge that the United States Congress vote to propose the Regulation Freedom Amendment to the United States Constitution as follows:

“Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation.”; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 965—By Schaaf.

An Act to repeal section 376.451, RSMo, and to enact in lieu thereof one new section relating to health insurance discrimination.

SB 966—By Schaaf.

An Act to repeal sections 37.005, 103.005, 103.008, 103.010, 103.014, 103.016, 103.019, 103.020, 103.023, 103.025, 103.027, 103.029, 103.032, 103.036, 103.039, 103.042, 103.045, 103.047, 103.050, 103.055, 103.059, 103.061, 103.064, 103.070, 103.075, 103.079, 103.080, 103.083, 103.084, 103.085, 103.095, 103.098, 103.100, 103.105, 103.110, 103.115, 103.130, 103.133, 103.145, 103.155, 103.158, 103.163, 103.165, 103.175, and 103.178, RSMo, and to enact in lieu thereof twenty-nine new sections relating to the Missouri consolidated health care plan, with an effective date for certain sections.

SB 967—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the establishment of a specialized department of higher education website.

SB 968—By Brown.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to tuition rates for members of the Missouri National Guard.

SB 969—By Brown.

An Act to repeal section 173.900, RSMo, and to enact in lieu thereof one new section relating to tuition assistance for combat veterans.

SB 970—By Brown.

An Act to repeal section 301.560, RSMo, and to enact in lieu thereof one new section relating to licensure of boat manufacturers and dealers.

SB 971—By Dixon.

An Act to repeal section 595.226, RSMo, and to enact in lieu thereof four new sections relating to the records of victims of sexual offenses.

SB 972—By Silvey.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

SB 973—By Wasson.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to dispensing maintenance medication.

SB 974—By Wasson.

An Act to repeal sections 375.004 and 379.118, RSMo, and to enact in lieu thereof two new sections relating to transfer of insurance policies between insurer affiliates.

SB 975—By Wasson.

An Act to repeal sections 385.200, 385.206, 385.300, and 385.306, RSMo, and to enact in lieu thereof four new sections relating to extended service contracts.

SB 976—By Nasheed.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to racial bias in policing.

SB 977—By Nasheed.

An Act to amend chapters 211 and 217, RSMo, by adding thereto two new sections relating to the use of restraints on certain persons.

SB 978—By Sater.

An Act to amend chapter 454, RSMo, by adding thereto one new section relating to state debt owed by noncustodial parents.

SB 979—By Hegeman.

An Act to amend chapter 210, RSMo, by adding thereto five new sections relating to the children's division.

SB 980—By Keaveny.

An Act to repeal sections 105.661, 105.666, and 105.683, RSMo, and to enact in lieu thereof three new sections relating to public pension plans.

SB 981—By Keaveny, Sifton, Holsman and Nasheed.

An Act to amend chapter 92, RSMo, by adding thereto one new section relating to tax credits for earnings taxes in certain cities.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1631**, entitled:

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

Office of the Governor

State of Missouri

PROCLAMATION

WHEREAS, Article IV, Section 24, of the Missouri Constitution was amended by the voters on November 4, 2014; and

WHEREAS, Article IV, Section 24, requires the Governor to submit to the General Assembly a budget for the ensuing appropriation period, containing the estimated available revenues and proposed expenditures of the state; and

WHEREAS, Article IV, Section 24 was amended to specify that the Governor will not determine estimated available revenues using any new revenues created from proposed legislation that has not been passed into law by the General Assembly.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, do hereby submit the following proposal for the General Assembly's action during the 2016 legislative session.

That the General Assembly pass fiscally responsible legislation to reform and expand Medicaid, providing access to health care for nearly 300,000 Missourians, bringing our tax dollars home, and yielding \$101 million in revenue and savings.

Further, I call on the General Assembly to pass legislation to transfer general revenue in an amount equal to the revenue and savings

generated by reforming and expanding Medicaid into a Healthcare Protection Fund to be used solely to pay the general revenue share of costs for individuals eligible for Medicaid services as a result of expansion of eligibility to one hundred thirty-three percent of the federal poverty level.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, this 20th day of January, 2016.

Seal

Jeremiah W. (Jay) Nixon
Governor

Attest

Jason Kander
Secretary of State

Senator Pearce assumed the Chair.

CONCURRENT RESOLUTIONS

Senator Kraus moved that **SCR 51** and **SCR 52**, with **SCS**, be taken up for 3rd reading and final passage, which motion prevailed.

SCS for **SCRs 51** and **52**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NOS. 51 and 52

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Was taken up.

Senator Kraus moved that **SCS** for **SCRs 51** and **52** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SCRs 51** and **52**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—2

Senator Schmitt moved that **SCR 46** be taken up for 3rd reading and final passage, which motion prevailed.

SCR 46, entitled:

SENATE CONCURRENT RESOLUTION NO. 46

An Act by concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range.

Was taken up.

On motion of Senator Kraus, **SCR 46** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Chappelle-Nadal	Nasheed	Schupp	Walsh—4
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Absent—Senators—None

Absent with leave—Senator Onder—1

Vacancies—2

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 59**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 59

Relating to disapproval of the final order of rulemaking for the proposed rule 19 CSR 15-8.410.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Department of Health and Senior Services filed proposed rule 19 CSR 15-8.410 on December 26, 2014, and filed the order of rulemaking with the Joint Committee on Administrative Rules on May 1, 2015; and

WHEREAS, the Joint Committee on Administrative Rules held a hearing on May 12, 2015, and has found 19 CSR 15-8.410 lacking in compliance with the provisions of Chapter 536, RSMo:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby find that the Department of Health and Senior Services violated the provisions of Chapter 536, RSMo, when it failed to comply with the provisions of sections 536.014, 536.200, 536.205, 536.300, and 536.303, RSMo; and

BE IT FURTHER RESOLVED that the Ninety-eighth General Assembly, Second Regular Session, upon a concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby permanently disapproves and suspends the

final order of rulemaking for 19 CSR 15-8.410 Personal Care Attendant Wage Range; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the disapproval of the final order of rulemaking for 19 CSR 15-8.410, upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-eighth General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Constitution of Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Adam Pressler, Columbia.

Senator Pearce introduced to the Senate, Michael Haffner, Whiteman Air Force Base, Warrensburg.

Senator Schupp introduced to the Senate, Melissa Wilding; Audrey Mack; Barbara McCaslin, Stephan Gaither, and Jeff Corrigan, Columbia; Larry Glenn, Clayton; Carl Sherman, St. Louis; Mike and Carolyn Hutchko, Leeton; and Kirk Klinger, Fayette, Missouri Veterans History Project.

Senator Richard introduced to the Senate, Coach Will Keczkemethy; and Jennifer Nguyen, Stella Ndauwa, Meagan Martucci, Megan Hickey, Savannah Spencer, Michaela Koval, Amanda Amodio, Anum Ahmed, Vivian Vu, Sarah Lundstrum, Gil Salgado, Noah Chotrow, Alex Coffin and Reid Brown, Joplin High School Constitution Team.

Senator Holsman introduced to the Senate, Mayor Eileen Weir, Zach Walker and Craig Brenner, Independence.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY—TUESDAY, JANUARY 26, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 945-Munzlinger

SB 946-Emery

SB 947-Parson	SB 966-Schaaf
SB 948-Parson	SB 967-Pearce
SB 949-Wasson	SB 968-Brown
SB 950-Wasson	SB 969-Brown
SB 951-Wasson	SB 970-Brown
SB 952-Walsh, et al	SB 971-Dixon
SB 953-Schupp, et al	SB 972-Silvey
SB 954-Pearce	SB 973-Wasson
SB 955-Sifton, et al	SB 974-Wasson
SB 956-Chappelle-Nadal	SB 975-Wasson
SB 957-Chappelle-Nadal	SB 976-Nasheed
SB 958-Holsman, et al	SB 977-Nasheed
SB 959-Holsman	SB 978-Sater
SB 960-Wieland	SB 979-Hegeman
SB 961-Nasheed, et al	SB 980-Keaveny
SB 962-Curls, et al	SB 981-Keaveny, et al
SB 963-Wallingford	SJR 36-Parson
SB 964-Wallingford	SJR 37-Chappelle-Nadal, et al
SB 965-Schaaf	

HOUSE BILLS ON SECOND READING

HJR 53-Dugger	HB 1631-Alferman
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SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--------------------------------|
| 1. SB 572-Schmitt, with SCS | 6. SJR 19-Munzlinger, with SCS |
| 2. SB 765-Schmitt, with SCS | 7. SB 578-Keaveny, with SCS |
| 3. SB 580-Schaaf, with SCS | 8. SB 579-Schaaf, et al |
| 4. SB 655-Munzlinger | 9. SB 635-Hegeman |
| 5. SB 657-Munzlinger, with SCS | 10. SB 677-Sater |

INFORMAL CALENDAR

CONSENT CALENDAR

Senate Bills

Reported 1/21

SB 639-Riddle

RESOLUTIONS

To be Referred

SCR 58-Keaveny, et al
SCR 59-Emery

HCR 59-Barnes

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Journal of the Senate

SECOND REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 26, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Dixon offered the following prayer:

In the 44th Psalm we hear: “We have heard with our ears, O God, Our fathers have told us, the deeds You did in their days, in days of old: You drove out the nations with Your hand, but You planted them; You afflicted the peoples, and cast them out. For they did not gain possession of the land by their own sword, nor did their own arm save them; but it was Your right hand, Your arm, and the light of Your countenance, because You favored them.”

God of our fathers, as we seek to do what is right rather than just what is expedient, we ask again today for Your enlightenment upon our understanding. We need it, and we know of Your deeds of old, so we are confident You can save us today from our human ways. We recall the words of former president William Howard Taft: “The world is not going to be saved by legislation.” In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missouri.net and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1312, regarding Lloyd J. “Joe” Carmichael, which was adopted.

Senator Holsman offered Senate Resolution No. 1313, regarding the 2015 Kansas City Metro 7th Grade Football University (FBU) Team, which was adopted.

Senator Silvey offered Senate Resolution No. 1314, regarding Eagle Scout Boone Evans, Liberty, which was adopted.

Senator Parson offered Senate Resolution No. 1315, regarding Eagle Scout Justin Lane Hillhouse, Lebanon, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1316

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and six division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY</u>
		<u>SALARY RANGE</u>
4	Staff Attorney	\$3,917 - \$6,432
4	Research Analyst II	\$3,365 - \$4,909
1	Assistant Director General Research	\$3,963 - \$6,432
3.5	Research Staff Secretary	\$2,812 - \$4,618
2	Budget Research Analyst II	\$3,365 - \$4,909
2	Budget Research Analyst III	\$3,991 - \$5,801
1	Assistant Director Budget Research	\$3,963 - \$6,432
1	Budget Staff Secretary	\$2,812 - \$4,618
1	Assistant Secretary of Senate	\$3,365 - \$5,447
1.5	Deputy Secretary of Senate	\$2,498 - \$3,495
1	Enrolling & Engrossing Supervisor	\$3,365 - \$5,447
3	Enrolling & Engrossing Clerk	\$2,498 - \$3,839
1	Billroom Supervisor	\$2,498 - \$3,495
1	Billroom Clerk	\$2,152 - \$2,956
6	Public Information Specialist I	\$2,498 - \$3,495
2	Resolution Writer	\$2,812 - \$3,991
1	Multimedia Communications Manager	\$3,129 - \$4,434
1	Photographer	\$2,812 - \$3,991
1	Administrative Assistant	\$3,365 - \$5,447
1.5	Accounting Specialist	\$2,912 - \$4,094
1	Human Resources Specialist	\$3,365 - \$5,447
6	Administrative/Office Support	\$3,365 - \$5,447
2	Information Technologist I	\$2,498 - \$3,495

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
1	Computer Info. Technology Spec. I	\$3,624 - \$5,333
3	Computer Info. Technology Spec. II	\$3,991 - \$5,801
2	Computer Info. Technology Spec III	\$4,812 - \$6,753
1	Assistant Director - CIS	\$4,812 - \$6,753
2	Computer Info. Technologist I	\$2,498 - \$3,495
1.5	Computer Info. Technologist II	\$3,244 - \$4,618
1	Network/Communications Specialist	\$3,991 - \$5,801
2	Journal Production Clerks	\$2,498 - \$3,495
1	Mailroom Supervisor	\$2,498 - \$3,495
1	Mailroom Technician II	\$2,152 - \$2,956
1	Printing Services Technician II	\$2,152 - \$2,956
1	Printing Services Technician III	\$2,342 - \$3,244
2	Printing Services Technician IV	\$2,626 - \$3,624
1	Library Administrator	\$3,624 - \$5,333
1	Library Clerk	\$2,417 - \$3,365
1	Maintenance Supervisor II	\$2,812 - \$3,991
2	Carpenter II	\$2,626 - \$3,624
0.5	Sergeant-at-Arms (Elected)	\$2,626 - \$3,624
4.5	Assistant Doorkeeper	\$1,772 - \$2,292
0.5	Reading Clerk	\$1,679 - \$2,117
0.25	Chaplain	\$1,878 - \$2,492
0.5	Investigator	\$3,365 - \$4,909
0.5	Security Specialist	\$3,624 - \$5,333

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and the Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Senate Administrator, on behalf of the Committee on Administration, has the authority to reduce, increase, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and the Committee on Administration may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

Senator Pearce offered Senate Resolution No. 1317, regarding Jerry Hughes of the University of Central Missouri, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1318, regarding Eagle Scout Samuel Rodenberg, Concordia, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 982—By Wieland.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave for public employees.

SB 983—By Nasheed.

An Act to amend chapter 285, RSMo, by adding thereto six new sections relating to leave from employment.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 572**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 572**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

An Act to repeal sections 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof five new sections relating to municipal courts.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 572** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 572**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

An Act to repeal sections 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof five new sections relating to municipal courts.

Senator Schmitt moved that **SS** for **SCS** for **SB 572** be adopted.

Senator Pearce assumed the Chair.

Senator Romine assumed the Chair.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 2, Section 479.350, Lines 21-22, by striking all of said lines and inserting in lieu thereof the following: “**ordinance violation prosecuted for which penalties are authorized by statute**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Section A, Line 4, by inserting after all of said line the following:

“71.980. Notwithstanding any provision to the contrary, the state shall not be held liable for the debts of a municipality that is financially insolvent. For purposes of this section, a municipality is financially insolvent if it is not paying its debts as they become due, unless such debts are the subject of a bona fide dispute, or is unable to pay its debts as they become due.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SS** for **SCS** for **SB 572**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 572**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 639**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 58**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Brett Bailey, Steelville.

Senator Schupp introduced to the Senate, Gokul Venkatachalam, his father, Chalam Krishnan, his mother, Sreepriya Vaidynathan, and his brother, Mehul, Chesterfield.

Senator Holsman introduced to the Senate, Andrea Flinders, Kansas City; and Marisol Montero, Melissa Robinson, and Pattie Mansur, Kansas City Public School Board.

Senator Pearce introduced to the Senate, Jeff Huffman, Christian Cutter and Stephen Kirkbride, University of Central Missouri.

Senator Brown introduced to the Senate, Keith Carnahan, and six eleventh and twelfth grade students from Maranatha Baptist Academy, St. Robert.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWELFTH DAY—WEDNESDAY, JANUARY 27, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 945-Munzlinger	SB 966-Schaaf
SB 946-Emery	SB 967-Pearce
SB 947-Parson	SB 968-Brown
SB 948-Parson	SB 969-Brown
SB 949-Wasson	SB 970-Brown
SB 950-Wasson	SB 971-Dixon
SB 951-Wasson	SB 972-Silvey
SB 952-Walsh, et al	SB 973-Wasson
SB 953-Schupp, et al	SB 974-Wasson
SB 954-Pearce	SB 975-Wasson
SB 955-Sifton, et al	SB 976-Nasheed
SB 956-Chappelle-Nadal	SB 977-Nasheed
SB 957-Chappelle-Nadal	SB 978-Sater
SB 958-Holsman, et al	SB 979-Hegeman
SB 959-Holsman	SB 980-Keaveny
SB 960-Wieland	SB 981-Keaveny, et al
SB 961-Nasheed, et al	SB 982-Wieland
SB 962-Curls, et al	SB 983-Nasheed
SB 963-Wallingford	SJR 36-Parson
SB 964-Wallingford	SJR 37-Chappelle-Nadal, et al
SB 965-Schaaf	

HOUSE BILLS ON SECOND READING

HJR 53-Dugger	HB 1631-Alferman
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SENATE BILLS FOR PERFECTION

SB 765-Schmitt, with SCS	SB 580-Schaaf, with SCS
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SB 655-Munzlinger
SB 657-Munzlinger, with SCS
SJR 19-Munzlinger, with SCS
SB 578-Keaveny, with SCS

SB 579-Schaaf, et al
SB 635-Hegeman
SB 677-Sater

INFORMAL CALENDAR

RESOLUTIONS

SR 1316-Kehoe

Reported from Committee

HCS for HCR 58 (Parson)

To be Referred

SCR 58-Keaveny, et al
SCR 59-Emery

HCR 59-Barnes

✓

Journal of the Senate

SECOND REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 27, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will sing of loyalty and of justice; to You O Lord, I will sing.” (Psalm 101:1)

O God, You give value to each of us, not one of Your creation is more or less important in Your sight. Help us look at our law and the justice they seek to provide and look at them as if seen through Your eyes. Grant us, O Lord, the power to treat each with equity and fairness. In Your Holy name, we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1319, regarding Dr. Frank Mistretta, which was adopted.

Senator Schmitt offered Senate Resolution No. 1320, regarding Nancy Reeves, Saint Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1321, regarding Paula Myers, which was adopted.

Senator Wallingford offered Senate Resolution No. 1322, regarding the Cape Girardeau Real Estate Associates, LLC, which was adopted.

Senator Emery offered Senate Resolution No. 1323, regarding the Cass County Courthouse tower clock, Harrisonville, which was adopted.

Senator Brown offered Senate Resolution No. 1324, regarding Mike Howard, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative McDonald will be replacing Representative Rowland (29) on the escort committee pursuant to **HCR 56**.

REFERRALS

President Pro Tem Richard referred **SCR 58** and **SCR 59** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCR 59—Rules, Joint Rules, Resolutions and Ethics.

Senator Kehoe moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Patricia Breckenridge, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Kinder.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

On roll call the following Representatives were present:

Present:

Adams	Alferman	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison	Burns	Butler
Carpenter	Chipman	Cierpiot	Colona	Conway 10	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Ellington	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Frederick	Gannon
Gardner	Gosen	Green	Hansen	Harris	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McGee	McNeil	Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Parkinson	Peters	Pfausch
Phillips	Pierson	Pietzman	Pike	Plocher	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Rizzo	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Runions	Ruth	Shaul
Shumake	Smith	Solon	Sommer	Taylor 139	Vescovo	Walker
Walton Gray	White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker—147

Absent:

Allen	Curtis	Flanigan	Franklin	Haahr	Haefner	Hicks
LaFaver	Leara	McCaherty	Rowland 29	Shull	Spencer	Swan
Taylor 145	Webber—16					

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Patricia Breckenridge, escorted the Chief Justice to the dais where she delivered the State of the Judiciary Address to the Joint Assembly:

Chief Justice Patricia Breckenridge

State of the Judiciary Address

Thank you, Lieutenant Governor Kinder, Speaker Richardson, President Pro Tem Richard, members of the General Assembly, the executive branch, and the judiciary. It is a privilege to be with you to examine how we can continue our tradition of collaboration and innovation in improving Missouri's courts.

I am proud to be a lifelong Missourian. I was born and raised in Nevada, in Vernon County. I am a product of the public schools of this state, but it almost wasn't so. I began college at the University of Arkansas. During the summer after my freshman year, the young man I was dating convinced me to transfer to the University of Missouri. After I had transferred, he commented that, even if the relationship did not last, at least I would get a better education. I ultimately earned MU degrees in agricultural economics and law. And the young man who convinced me to return to Missouri? His name is Bryan, and we will celebrate our 40th anniversary in May. Bryan, will you please stand?

I am thankful for the values taught to me by my parents – my father, Don Russell, a small-town lawyer with a general practice, and my mother, Barbara Reed, a retired elementary teacher from Springfield. Dad died two years ago, but my mother and my dear aunt, Judy Wood, are here with me today. Thank you, Mom – you are a wonderful mother and role model.

Last week, I began my 35th year as a Missouri judge. I served nine years as a trial judge, 17 on the court of appeals and am in my ninth year

on the Supreme Court. When I was appointed by Governor Bond to be the associate circuit judge of Vernon County, I was 28 years old – only four years out of law school. I should have been intimidated under those circumstances, but I wasn't. Some – many, in fact – might say that I didn't know enough to be afraid. But the truth is, as young and inexperienced as I was, I believed I could be a good judge because I cared about the people of Vernon County who brought their problems to court and about the law.

When I joined the judicial system, I found it was filled with principled people who also cared. I was supported and taught by a host of court clerks, attorneys and judges who helped me by sharing their experiences and knowledge. I learned from everyone – even criminal defendants!

Criminal defendants taught me the importance of respect in our court system. I learned when people who appear in court are treated with respect, they, in turn, treat the judge and the court with respect. Experience proved, when defendants understand their rights, the criminal charges against them, and court procedures, they more readily accept even harsh sentences because they believe the process is fair.

Due process and the rule of law make this country unique. Our judicial system is a coequal branch of government where citizens go to peaceably resolve their disputes and to protect their rights. We only have to turn on the television to see the stark contrast with other parts of the world.

Like the legislative and executive branches, courts are accountable to the will of the people – but in a different way. Those branches are designed to be responsive to the current interests and needs of the voters, but courts are held accountable to the will of the people as expressed in the constitution and laws enacted by you and by past members of this body.

Missouri citizens must have faith and trust – that in our courts they will be treated respectfully and fairly and that their cases will be decided impartially according to the law.

Missourians come to court for many reasons – because they have been charged with speeding or armed robbery, their loved one's estate needs to be probated, they can't agree on child support or child custody, or they are business owners trying to get compensated for the products they have sold. To the people involved, their cases are the most important thing in their lives. They remind us that the judicial system's purpose is the fair and impartial resolution of *every* case.

My colleagues – the judges of the Supreme Court and the other judges and commissioners in Missouri's judicial system – work daily to properly administer justice in courtrooms all around the state. Courts clerks, juvenile officers, prosecutors, defense attorneys, and judges all must respect the law and strive to fulfill the courts' purposes and responsibilities. Some dedicated court staff, judges, and attorneys from our state are with us today. Would you please stand to be recognized?

But as we learned, there are courts in our state that were not true to our system of justice. After Michael Brown's death in Ferguson and the resulting Department of Justice report, the municipal divisions in St. Louis County were thrust into the national spotlight. This focused attention on all our municipal divisions.

When constitutional changes restructured the Missouri judicial system in 1979, freestanding municipal courts became divisions of the circuit court, but they were not fully integrated into the state system. Instead, the law left the selection of judges and staff to the municipalities, which may have caused some court personnel to promote the interests of their municipality over the interests of justice.

The constitution places the municipal divisions under the supervision of the circuit courts. Ultimately, the supervision of all courts rests with the Supreme Court. The issues of the St. Louis County municipal divisions have caused the Supreme Court to reexamine the performance of those supervisory roles.

Municipal courts are, in fact, part of our Missouri circuit courts and as the most frequently used division of our courts they may be the only kind of court most Missourians encounter. Last year, more than 1.4 million municipal cases were disposed – twice as many cases as in all other circuit divisions.

The legislature has taken action in response to the problems demonstrated by events in Ferguson, and I know you are considering additional changes to the law during this session.

The Supreme Court recognizes that the vast majority of our municipal divisions function as they should, but we are committed to restoring trust in *all* our municipal divisions, and changes have been made:

- There is improved access to information and a uniform fine schedule that eliminates the exorbitant and unauthorized fines and costs assessed in some cities;
- St. Louis County municipal divisions are required to be open to all the public;
- Thousands of warrants have been recalled and cancelled; and
- The Court amended our rules to require municipal judges to consider an indigent defendant's ability to pay any fine and costs imposed.

Despite progress, more remains to be done. The Supreme Court appointed a municipal work group, which has gathered and studied information to identify the most important findings and recommendations for action. We look forward to its report, which is expected to be filed by March 1.

Our municipal divisions are not the only portions of our judicial system that have received recent attention. The Department of Justice released a report last July about the St. Louis County juvenile division. This report raised concerns, including racial disparity in the disposition of cases;

insufficient legal representation for juvenile offenders; and questions about the design of our juvenile system.

It might surprise you to know that juvenile courts were our first treatment courts. Created by you 50 years ago, our juvenile system is designed *not* to be an adversarial system where the parties compete to be winners, but instead, a system where everyone, including the juvenile officer, has one goal – to preserve and promote each child’s welfare. Because when the child wins, we *all* win.

This non-adversarial system has produced good outcomes for Missouri children. And we know the judges and juvenile staff across the state, including St. Louis County, continue to be dedicated to the care and protection of Missouri’s children.

But *every* system can be improved. So we are giving thoughtful consideration to the DOJ’s criticisms, as well as to appropriate solutions. In fact, the concerns have already led to one change in our juvenile structure. The Supreme Court adopted a rule that separates the responsibility of the judge who supervises juvenile court personnel from the responsibility of adjudicating juvenile cases.

The DOJ reports claimed there is racial disparity in the handling of cases. Let me be clear – we are committed to ensuring every individual in *every* case in our system of justice is treated with respect and *every* case is adjudicated fairly and impartially under the law. Even a perception that justice is contingent on the color of one’s skin or the part of the state one comes from should concern us *all*, no matter who we are or where we live.

In this vein, the Court is committed to identifying and addressing bias. In October, the Supreme Court established a Commission on Racial and Ethnic Fairness to study the judicial system and the legal profession. The commission is made up of more than 50 attorneys, judges and others representing diverse experiences and viewpoints from across the state.

We expect the commission to examine current practices and make recommendations to help assure fairness, impartiality, equal access and full participation for racial and ethnic minorities in the judicial process and in the practice of law. We look forward to seeing the recommendations for improvement.

The Supreme Court also realizes it is critical for those of us who sit in judgment of others to be aware of any bias, implicit or otherwise, that might unknowingly affect our decisions. To that end, judges of Missouri’s court system will receive implicit bias training as part of this year’s judicial education programs.

These are current challenges, but we have a proud history of meeting challenges head-on and finding successful solutions.

Many years ago, another challenge was technology. With your support, we met that challenge and embraced technology as part of how courts must do business in the 21st century. Missouri has become a national leader in automated case management and, by June, every judicial circuit will have electronic filing of case documents.

Our innovative Case.net system allows the public to access information in 19 million court cases, and the public does make use of that access! By the end of last year, Case.net averaged 5 million hits per day.

Currently, public access to the actual documents in case files is available only at computer terminals located in our courthouses. But in this computer age, the public and the media have requested greater access. In response, we are working to strike a balance that economically, technically, and legally makes more case information available to the public.

We already are testing an enhancement to Case.net. This feature – called “Track This Case” – allows parties and the public to be notified electronically of activity in a particular case. The pilot began without fanfare approximately two months ago and, already, Case.net users are tracking 13,000 cases. We will continue to test this program until the end of this year.

Innovations like this are possible because of our best asset – our people. The expansion of technology has changed the responsibilities and skill sets of our employees, and we must have a workforce ready to meet the demands of 21st century Missourians. Without such employees, we cannot take full advantage of all technology has to offer.

Our technological innovations also are invaluable in producing data that we use to serve the citizens of Missouri.

For example, by analyzing data from Missouri and around the country, we have learned that unresolved trauma from abuse and neglect makes a child significantly more likely to commit delinquent acts ... and that a delinquent child has a considerably higher risk of ending up in prison. The earlier the trauma is identified and treated, the less likely “acting out” progresses to the commission of a crime.

This information has guided efforts to improve the outcomes of children in Missouri. The courts, in collaboration with the Department of Social Services and the Department of Mental Health, have been piloting multiple programs like Fostering Court Improvement, the Juvenile Detention Alternatives Initiative and the Crossover Youth model. These programs improve safety and permanency outcomes for children in foster care, reduce detention of children, and prevent children from crossing over from the child welfare system into the juvenile justice system.

Kids-at-risk is an issue deeply personal to me. When I was on the court of appeals, I volunteered to mentor at Operation Breakthrough, an inner-city day care. Little did I know that volunteering would lead to an 18-year relationship with four sisters. I learned firsthand from “my girls” the impact of having a mother in prison and a dad whose energy was spent just trying to provide. They continue to be a big part of my life: Denise, now a hardworking mother with a full-time job; Danisha, now in college; and Mae, also a college student, who cannot be here today because being introduced during the state of the judiciary apparently does not constitute an excused absence! I am proud to introduce

Denise and Danisha to you today, along with another dedicated mentor, Penni Johnson. I wish Deitra – the fourth sister – were with us, but tragically she’s made some bad choices and is currently incarcerated.

I greatly appreciate the work of legislators who are also passionate about protecting the children of Missouri. Your joint committee on child abuse and neglect, currently led by Representative Bill Lant and Senator Bob Dixon, is a wonderful example of how – when we work together – *we can* make a difference in the lives of Missourians.

Another example of successful collaboration between us is our treatment court model. Missouri is a national leader in treatment courts. As you know, our adult, juvenile and family drug courts change the trajectory of lives from addiction and crime to being productive citizens, while saving money by reducing the prison population. Working together, we expanded the drug court model to DWI courts, mental health courts and veterans courts. If you have not attended a treatment court graduation, I encourage you to do so. But bring your hanky. The life experiences of the graduates are moving.

Let me tell you about Patricia Sams. She is a generational alcoholic from Stone County who assumed the cycle of drinking and incarceration was her destiny. Despite having spent nearly four years incarcerated, she continued to drink and drive and once again found herself in front of a judge charged with DWI – her eighth. But this time it was different This time, Judge Alan Blankenship offered her the opportunity to be one of the first participants in the new Stone County DWI court. She went through rehab, learned how to stop her cycle of addiction, and has not had a drink since April 2010. Patricia became Stone County’s first DWI graduate, and now is part of its treatment court team. Patricia, will you and Judge Blankenship please rise and be recognized for your achievements?

Patricia’s story is just one of many. Missouri has more than 16,000 treatment court graduates and more than 4,000 current participants. But this is not the end of the story. We have more to do. We know treatment courts work, but they aren’t available to everyone who could benefit from them.

I am pleased to announce today that, once again, we are collaborating. Speaker Richardson has asked the Supreme Court to work with him and other members of this chamber to identify best practices and explore expanding the availability of treatment courts. Together, we can change *more* lives in Missouri.

Although there may be challenges in some areas of the court system, we can be proud of the outstanding work that is done in the vast majority of our Missouri courts.

We should be especially proud of the level of cooperation and communication between the legislature and the judiciary. Our work together in the areas of treatment and juvenile courts and technology should be a standard for our interactions every day. Let’s continue to make our Missouri courts *even* better.

Thank you.

On motion of Senator Kehoe, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Kinder.

Senator Riddle assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 984—By Parson.

An Act to repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to sales tax for public libraries.

SB 985—By Wasson.

An Act to amend chapter 335, RSMo, by adding thereto twelve new sections relating to the nurse licensure compact, with an effective date.

SB 986—By Brown.

An Act to authorize the conveyance of certain state properties.

SB 987—By Schmitt.

An Act to repeal sections 311.176, 311.178, and 311.179, RSMo, and to enact in lieu thereof three new

sections relating to intoxicating liquor.

SB 988—By Kraus.

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to medical helicopters, with an emergency clause.

SB 989—By Onder.

An Act to amend chapter 160, RSMo, by adding thereto sixteen new sections relating to protecting the privacy of student data, with penalty provisions.

SB 990—By Onder.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual education.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 572**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Riddle.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2166**, entitled:

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.485 as enacted by house bill no. 2058, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating solely to lobbyist expenditures.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 765**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 765**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 765

An Act to repeal section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to prohibitions on traffic citation quotas, with an existing penalty provision.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 765** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 765** was declared perfected and ordered printed.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1325, regarding Patricia Sullivan, Stotts City, which was adopted.

Senator Sater offered Senate Resolution No. 1326, regarding Janice Schmidly, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 1327, regarding Charles Campbell, Hoberg, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Wallingford and himself, the President introduced to the Senate, Jan Farrar and her daughter, Rachel, Cape Girardeau.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Lent Johnson, Hannibal.

Senator Holsman introduced to the Senate, Matt and Jennifer Dameron, Kansas City; John Kopp, Jefferson City; and Tamara Kopp, Columbia.

Senator Nasheed introduced to the Senate, Drew Bourscheski, University of Missouri.

Senator Brown introduced to the Senate, Cody Fulkerson, Rolla.

Senator Parson introduced to the Senate, members of the Certified Registered Nurse Anesthetists.

Senator Schupp introduced to the Senate, Emilie Bridges, University of Missouri-Columbia.

On behalf of Senator Dixon and himself, Senator Kehoe introduced to the Senate, Jeff Schrag, Springfield; Bernie Fechtel, Jefferson City.

Senator Onder introduced to the Senate, Madison Rybak, Dardenne Prairie; and Matthew Ponder, University of Missouri-Columbia.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTEENTH DAY—THURSDAY, JANUARY 28, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 945-Munzlinger	SB 969-Brown
SB 946-Emery	SB 970-Brown
SB 947-Parson	SB 971-Dixon
SB 948-Parson	SB 972-Silvey
SB 949-Wasson	SB 973-Wasson
SB 950-Wasson	SB 974-Wasson
SB 951-Wasson	SB 975-Wasson
SB 952-Walsh, et al	SB 976-Nasheed
SB 953-Schupp, et al	SB 977-Nasheed
SB 954-Pearce	SB 978-Sater
SB 955-Sifton, et al	SB 979-Hegeman
SB 956-Chappelle-Nadal	SB 980-Keaveny
SB 957-Chappelle-Nadal	SB 981-Keaveny, et al
SB 958-Holsman, et al	SB 982-Wieland
SB 959-Holsman	SB 983-Nasheed
SB 960-Wieland	SB 984-Parson
SB 961-Nasheed, et al	SB 985-Wasson
SB 962-Curls, et al	SB 986-Brown
SB 963-Wallingford	SB 987-Schmitt
SB 964-Wallingford	SB 988-Kraus
SB 965-Schaaf	SB 989-Onder
SB 966-Schaaf	SB 990-Onder
SB 967-Pearce	SJR 36-Parson
SB 968-Brown	SJR 37-Chappelle-Nadal, et al

HOUSE BILLS ON SECOND READING

HJR 53-Dugger
HB 1631-Alferman

HB 2166-Alferman

THIRD READING OF SENATE BILLS

SS for SCS for SB 572-Schmitt

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS
SB 655-Munzlinger
SB 657-Munzlinger, with SCS
SJR 19-Munzlinger, with SCS

SB 578-Keaveny, with SCS
SB 579-Schaaf, et al
SB 635-Hegeman
SB 677-Sater

INFORMAL CALENDAR

RESOLUTIONS

SR 1316-Kehoe

Reported from Committee

HCS for HCR 58 (Parson)

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 28, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Lord, we give You thanks for this week, for the good we were permitted to give and receive. Now, as we finish the work of this day and head home to those You have given us to love, let Your blessings be on us and sustain us in all things. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1328, regarding Eagle Scout

Brett Dean Young, Chillicothe, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1329, regarding Eagle Scout Kyle Hadley Marion Ross, Chillicothe, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1330, regarding Eagle Scout Noah Gabriel Crowe, Chillicothe, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1331, regarding Eagle Scout Cuba Thomas Wagner Chapman, Chillicothe, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1332, regarding Eagle Scout Lane Christopher Bonderer, Chillicothe, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 1333, regarding Eagle Scout Christopher Allen Bethel, Chillicothe, which was adopted.

Senator Onder offered Senate Resolution No. 1334, regarding Ron Wilson, Lake Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 1335, regarding Robert C. (Bob) Davis, which was adopted.

Senator Onder offered Senate Resolution No. 1336, regarding Karen Schneider, St. Charles County, which was adopted.

Senator Hegeman offered Senate Resolution No. 1337, regarding the Fiftieth Wedding Anniversary of Jerry and Leona Kirwan, Mound City, which was adopted.

Senator Hegeman offered Senate Resolution No. 1338, regarding the Fiftieth Wedding Anniversary of Richard and Merrilee Markt, Oregon, which was adopted.

Senator Cunningham offered Senate Resolution No. 1339, regarding L&R Industries, Cabool, which was adopted.

Senator Cunningham offered Senate Resolution No. 1340, regarding the One Hundredth Birthday of Ruby Valiquette, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1341, regarding Troy Harper, Hardenville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 60

Whereas, twenty-eight million United States citizens have cognitive disabilities such as intellectual disability; severe, persistent mental illness; brain injury; stroke; and neurodegenerative disorders such as Alzheimer's disease; and

Whereas, people with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans with Disabilities Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and under state and local laws; and

Whereas, the disruptive convergence of computing and communication technologies has substantially altered how people acquire, utilize, and disseminate knowledge and information; and

Whereas, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for people with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation, and civic participation; and

Whereas, the vast majority of people with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

Whereas, people with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

Whereas, technology and information access by people with cognitive disabilities must be guided by standards and best- practices, such as personalization and compatibility across devices and platforms, and through the application of innovations including automated and predictive technologies; and

Whereas, security and privacy must be assured and managed to protect civil rights and personal dignity of people with cognitive disabilities; and

Whereas, enhanced public and private funding is urgently required to allow people with cognitive disabilities to utilize technology and access information as a natural consequence of their rights to inclusion in our society; and

Whereas, ensuring access to technology and information for the 28 million people with cognitive disabilities in the United States will create new markets and employment opportunities; decrease dependency on public services; reduce health care costs; and improve the independence, productivity, and quality of life of people with cognitive disabilities:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge a commitment to equal rights for people with cognitive disabilities to technology and information access and call for implementation of such rights with deliberate speed.

Senator Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 61

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Whereas, Article V of the Constitution of the United States requires a Convention to be called by the Congress of the United States for the purpose of proposing an amendment to the Constitution upon application of two-thirds of the Legislatures of the several states; and

Whereas, the Legislature of the State of Missouri favors a proposal and ratification of an amendment to said Constitution which shall set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby make an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

Be It Further Resolved that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States of America until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the Senate of the United States and to the Speaker, Clerk and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 991—By Onder, Chappelle-Nadal, Schatz, Nasheed, Emery and Schaefer.

An Act to amend chapter 387, RSMo, by adding thereto nineteen new sections relating to transportation network companies.

SB 992—By Brown.

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections relating to the uniform interstate family support act, with an emergency clause.

SB 993—By Curls.

An Act to repeal section 67.1063, RSMo, and to enact in lieu thereof one new section relating to a fee on instruments recorded with the recorder of deeds.

SB 994—By Munzlinger.

An Act to repeal section 262.823, RSMo, and to enact in lieu thereof one new section relating to the goals of the Missouri wine and grape board.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 765**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Justin M. Bennett, Republican and Rachell M. Larose, as members of the State Committee for Social Workers;

Also,

Brett W. Berri, as a member of the Administrative Hearing Commission;

Also,

Nancy J. Brody, Independent, as a member of the State Committee of Dietitians;

Also,

Edward Clark, Emanuel Cleaver and Paul F. Williams, as members of the Peace Officer Standards and Training Commission;

Also,

Laura A. Crandall, Republican; and Jennifer Dameron, Democrat, as members of the Truman State University Board of Governors;

Also,

Michael L. Franks, Democrat; Gabriel E. Gore, Democrat; and Anita Y. Oplotnik, Democrat, as members of the Missouri State University Board of Governors;

Also,

Edward P. Gargas, Republican, as a member of the Southeast Missouri State University Board of Regents;

Also,

James L. Greer, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees;

Also,

Rochelle L. Harris, as a member of the Missouri State Committee of Interpreters;

Also,

Marilou Joyner, Democrat, as a member of the Northwest Missouri State University Board of Regents;

Also,

Herbert M. Kohn, Democrat, as a member of the Missouri Gaming Commission;

Also,

Douglas R. Lang and Christian S. Tadrus, as members of the State Board of Pharmacy;

Also,

Mary A. Long, Democrat, as a member of the University of Central Missouri Board of Governors;

Also,

Paul M. Maloney, Republican, as a member of the St. Louis City Board of Election Commissioners;

Also,

Kenneth McGhee, Democrat, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Erika L. O'Malley, as a member of the Advisory Commission for Dental Hygienists;

Also,

Deborah L. Price, Democrat, as a member of the Harris-Stowe State University Board of Regents;

Also,

Leland M. Shurin, as a member of the Kansas City Board of Police Commissioners;

Also,

Deborah J. Smith, Democrat, as a member of the Missouri Western State University Board of Governors;

Also,

Joel Todd Spencer, as a member of the Missouri Workforce Development Board;

Also,

Regina M. Staves, as a member of the Committee for Professional Counselors;

Also,

Jane E. Walton, as a member of the Interior Design Council;

Also,

Paul F. Woody, Democrat, as a member of the St. Charles County Convention & Sports Facilities Authority; and

T'Shon Young, as a member of the Organ Donation Advisory Committee.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for SCS for SB 572, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 572

An Act to repeal sections 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof six new sections relating to municipal courts.

Was taken up.

On motion of Senator Schmitt, **SS for SCS for SB 572** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Munzlinger	Nasheed	Onder	Parson	Richard
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wieland—25			

NAYS—Senators

Cunningham	Curls	Libla	Riddle	Schupp	Wasson—6
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Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Onder assumed the Chair.

CONCURRENT RESOLUTIONS

HCS for HCR 58, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 58

An Act relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Was taken up by Senator Parson.

On motion of Senator Parson, **HCS for HCR 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Chappelle-Nadal Keaveny—2

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Parson, title to the concurrent resolution was agreed to.

Senator Parson moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Kehoe moved that **SR 1316** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **SR 1316** was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 995—By Riddle.

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to alcohol sales through mobile applications at certain venues.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Pearce, Chairman of the Committee on Education, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Education, to which were referred **SB 620** and **SB 582**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 711**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 816**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 639**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 825**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 664**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 703**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 665**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 660**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 847**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 875**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 887**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 608**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 621**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 581**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1575**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 1575, Page 8, Section 105.485, Line 91, by striking the word “thirty” and inserting in lieu thereof the following: “**ninety**”; and further amend line 92, by striking the word “thirty” and inserting in lieu thereof the following: “**ninety**”.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1979**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 607**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 619**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 644**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 682**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 704**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 838**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 783**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 818**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 640**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 656**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 732**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 641**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 706**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 794**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 799**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Onder assumed the Chair.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1870**, entitled:

An Act to repeal sections 1.310 and 143.173, RSMo, and to enact in lieu thereof two new sections relating to the big government get off my back act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 945—Agriculture, Food Production and Outdoor Resources.

SB 946—Commerce, Consumer Protection, Energy and the Environment.

SB 947—Small Business, Insurance and Industry.

SB 948—Jobs, Economic Development and Local Government.

SB 949—Jobs, Economic Development and Local Government.

SB 950—Ways and Means.

SB 951—Financial and Governmental Organizations and Elections.

SB 952—Small Business, Insurance and Industry.

SB 953—Small Business, Insurance and Industry.

SB 954—Education.

SB 955—Rules, Joint Rules, Resolutions and Ethics.

SB 956—Governmental Accountability and Fiscal Oversight.

SB 957—Small Business, Insurance and Industry.

SB 958—Agriculture, Food Production and Outdoor Resources.

SB 959—Jobs, Economic Development and Local Government.

SB 960—Small Business, Insurance and Industry.

SB 961—Veterans' Affairs and Health.

SB 962—Transportation, Infrastructure and Public Safety.

SB 963—Seniors, Families and Children.

SB 964—Seniors, Families and Children.

SB 965—Small Business, Insurance and Industry.

SB 966—Veterans' Affairs and Health.

SB 967—Education.

SB 968—Education.

SB 969—Education.

SB 970—Transportation, Infrastructure and Public Safety.

SB 971—Seniors, Families and Children.

SB 972—Veterans' Affairs and Health.

SB 973—Veterans’ Affairs and Health.

SB 974—Small Business, Insurance and Industry.

SB 975—Commerce, Consumer Protection, Energy and the Environment.

SB 976—Judiciary and Civil and Criminal Jurisprudence.

SB 977—Judiciary and Civil and Criminal Jurisprudence.

SB 978—Seniors, Families and Children.

SB 979—Seniors, Families and Children.

SB 980—General Laws and Pensions.

SB 981—Ways and Means.

SB 982—Judiciary and Civil and Criminal Jurisprudence.

SB 983—Seniors, Families and Children.

SB 984—Jobs, Economic Development and Local Government.

SB 985—Financial and Governmental Organizations and Elections.

SB 986—Governmental Accountability and Fiscal Oversight.

SB 987—Jobs, Economic Development and Local Government.

SB 988—Veterans’ Affairs and Health.

SB 989—Education.

SB 990—Education.

SJR 36—Rules, Joint Rules, Resolutions and Ethics.

SJR 37—Appropriations.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 898** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2226**, entitled:

An Act to repeal sections 105.452, 105.470, and 105.483, RSMo, and to enact in lieu thereof three new sections relating solely to adding special executive branch appointees to the definition of public official.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HJR 53—Financial and Governmental Organizations and Elections.

HB 1631—Financial and Governmental Organizations and Elections.

HB 2166—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

On behalf of Senators Wallingford, Libla and himself, the President introduced to the Senate, James and Karen Bain, Sikeston.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 1, 2016

SENATE CALENDAR

FOURTEENTH DAY—MONDAY, FEBRUARY 1, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 991-Onder, et al
SB 992-Brown
SB 993-Curls

SB 994-Munzlinger
SB 995-Riddle

HOUSE BILLS ON SECOND READING

HB 1870-Hoskins

HB 2226-Barnes

THIRD READING OF SENATE BILLS

SCS for SB 765-Schmitt and Nasheed

SENATE BILLS FOR PERFECTION

1. SB 580-Schaaf, with SCS
2. SB 655-Munzlinger
3. SB 657-Munzlinger, with SCS
4. SJR 19-Munzlinger, with SCS
5. SB 578-Keaveny, with SCS

6. SB 579-Schaaf, et al
7. SB 635-Hegeman
8. SB 677-Sater
9. SBs 620 & 582-Romine, with SCS
10. SB 711-Brown

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|---------------------------------|---------------------------------------|
| 11. SB 816-Wieland, et al | 23. SB 682-Cunningham and Romine |
| 12. SB 639-Riddle | 24. SB 704-Munzlinger, with SCS |
| 13. SB 825-Munzlinger | 25. SB 838-Silvey and Walsh, with SCS |
| 14. SB 664-Parson | 26. SB 783-Onder |
| 15. SB 703-Munzlinger, with SCS | 27. SB 640-Schatz |
| 16. SB 847-Emery and Richard | 28. SB 656-Munzlinger |
| 17. SB 608-Sater | 29. SB 732-Munzlinger |
| 18. SB 621-Romine | 30. SB 641-Schatz |
| 19. SB 581-Schaaf | 31. SB 706-Dixon |
| 20. SB 607-Sater | 32. SB 794-Wallingford, with SCS |
| 21. SB 619-Wallingford | 33. SB 799-Kraus |
| 22. SB 644-Onder, with SCS | |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 665-Parson
SB 660-Wasson
SB 875-Schaefer

SB 887-Walsh
SB 818-Schatz and Riddle, with SCS

RESOLUTIONS

To be Referred

SCR 60-Curls

SCR 61-Parson

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Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—MONDAY, FEBRUARY 1, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The fear of the Lord is the beginning of knowledge; fools despise wisdom and instruction. (Proverbs 1:7)

O God of refreshing love, sustain this assembled body and renew our efforts with a sense of purpose and passion in seeking Your teachings. Help us to know the path to walk this day and the energy to do what is required. May our work this week reflect Your instruction and be helpful to one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 28, 2016 was read.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Thursday, January 28, 2016, Page 198, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following:

“Michael L. Franks, Democrat; and Anita Y. Oplotnik, Democrat, as members of the Missouri Southern State University Board of Regents;

Also,

Gabriel Gore, Democrat, as a member of the Missouri State University Board of Governors;” which request was granted.

The Journal for Thursday, January 28, 2016 was approved as corrected.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey

Wallingford

Walsh

Wasson

Wieland—32

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Brown requested unanimous consent of the Senate to correct the Committee on Veterans' Affairs and Health report on **SB 875**, by submitting a corrected report, which request was granted.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 875**, begs leave to report that it has considered the same and recommends that the bill do pass.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1342, regarding Jim Hall, which was adopted.

Senator Schmitt offered Senate Resolution No. 1343, regarding David and Marianne Burlis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1344, regarding Kirk Hutchison, which was adopted.

Senator Schmitt offered Senate Resolution No. 1345, regarding Mary Hanson, which was adopted.

Senator Schmitt offered Senate Resolution No. 1346, regarding Tom Openlander, which was adopted.

Senator Wallingford offered Senate Resolution No. 1347, regarding Dennis Vollink, which was adopted.

Senator Riddle offered Senate Resolution No. 1348, regarding the American Heart Association Midwest Affiliate, which was adopted.

Senator Pearce offered Senate Resolution No. 1349, regarding Arrow Rock Lyceum Theatre, which was adopted.

Senator Kehoe offered Senate Resolution No. 1350, regarding the 2015 Class 3 State Champion Fatima High School baseball program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1351, regarding the 2015 Class 2 State Champion Fatima High School girls cross country program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1352, regarding Eagle Scout Max Renfrow, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1353, regarding Eagle Scout David John Segall, Lohman, which was adopted.

Senator Kehoe offered Senate Resolution No. 1354, regarding Eagle Scout William Holloway, Jefferson City, which was adopted.

Senator Parson offered Senate Resolution No. 1355, regarding Tanner Koenig, Flemington, which was adopted.

Senator Kraus offered Senate Resolution No. 1356, regarding Evon Jones, Lee's Summit, which was adopted.

Senator Cunningham offered Senate Resolution No. 1357, regarding Clay Smith, Mansfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 1358, regarding Hunter Corman, Pomona, which was adopted.

Senator Sifton offered Senate Resolution No. 1359, regarding the First Congregational Church (United Church of Christ), Webster Groves, which was adopted.

Senator Schaaf offered Senate Resolution No. 1360, regarding Maggie Voisard, Faucett, which was adopted.

Senator Hegeman offered Senate Resolution No. 1361, regarding Adam Kirby, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1362, regarding Hadley Williams, Milan, which was adopted.

Senator Schaefer offered Senate Resolution No. 1363, regarding Alex Stichnote, Ashland, which was adopted.

Senator Riddle offered Senate Resolution No. 1364, regarding Brandelyn Martin, Silex, which was adopted.

Senator Pearce offered Senate Resolution No. 1365, regarding Austin Boland, Sweet Springs, which was adopted.

Senator Pearce offered Senate Resolution No. 1366, regarding Rylee Streit, Holden, which was adopted.

Senator Kehoe offered Senate Resolution No. 1367, regarding Jacob Hoellering, California, which was adopted.

Senator Sater offered Senate Resolution No. 1368, regarding Ty Whittaker, Miller, which was adopted.

Senator Richard offered Senate Resolution No. 1369, regarding Marua Butler, Seneca, which was adopted.

Senator Schatz offered Senate Resolution No. 1370, regarding Braxton Hoemann, Washington, which was adopted.

Senator Libla offered Senate Resolution No. 1371, regarding Alexa Nordwald, East Prairie, which was adopted.

Senator Wallingford offered Senate Resolution No. 1372, regarding Morgan Taylor, Greenville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 62

Whereas, under Article IV, Section 3, of the United States Constitution, “The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States”; and

Whereas, the Constitutional Convention intended this provision of the Constitution to maintain the status quo that had been established to transfer federal territorial lands only to create new states with the same rights of sovereignty, freedom, and independence as the original states; and

Whereas, under these express terms of trust, over time the states claiming federal territorial land ceded their western land to the confederated Union to allow the confederated government to dispose of the lands only to create new states and apply the net proceeds of any sales of the lands only to pay down the public debt; and

Whereas, the United States Constitution contains no expression of intent to authorize the federal government to indefinitely exercise control over western public lands beyond the duty to manage the lands pending the disposal of the lands to create new states, and therefore the lands should be returned to the western states; and

Whereas, in order to promote legitimate federal interests, the western states should upon transfer of the public lands directly to the state where the public land is located agree to affirmatively cede lands for the national park system, the national wilderness preservation system, and lands reserved for federal military use, military parks, and military reservations to the federal government under Article I, Section 8, Clause 17, of the United States Constitution, on condition that the lands permanently remain national park lands, and that they not be sold, transferred, left in substantial disrepair, or conveyed to any party other than to the state where the land is located; and

Whereas, limiting the ability of western states to access and utilize the public lands’ natural resources within their borders is having a negative impact upon the economy of the western states and therefore the economy of the entire United States:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, in order to provide a fair, just, and equitable remedy for the federal government’s past and continuing breaches of its solemn promises to the western states:

(1) Calls upon the federal government to transfer title to all federal public lands within the western states to the state where the land is located;

(2) Urges the United States Congress to engage in good faith communication, cooperation, and consultation with the western states to coordinate the transfer of the public lands, and supports the western states in these efforts;

(3) Calls upon the western states to agree, upon transfer of the public lands, to affirmatively cede to the federal government all lands currently designated as part of the National Park System under 16 U.S.C. Section 1a-1, the National Wilderness Preservation System under 16 U.S.C. Section 1131, or for military use, military parks, or military reservations;

(4) Urges that if any public land in the western states be sold to private owners, 95% of the net proceeds be paid to the Bureau of the Public Debt to pay down the federal debt; and

(5) Calls upon all other states of the United States to pass a similar resolution in support of the transfer of the federal public lands to the western states; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senators Curls and Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 63

Whereas, a sustainable agricultural system in the United States is critical to the continued production of food, feed, and fiber to meet both domestic and global demands; and

Whereas, the treatment, prevention, and control of agricultural pests is critically important to the health and welfare of our residents and the safety of our global food, feed, and fiber supply; and

Whereas, the availability of modern agricultural technologies such as precision farming equipment, crop protection chemistries, genetically engineered or enhanced traits, and agricultural nutrients are critically important tools that allow farmers to expand yields, reduce environmental impacts, improve profitability and provide a safe, healthy, abundant, and affordable food supply; and

Whereas, the agriculture and food production industries have a long history of success and safety in protecting and further enhancing the food, feed, and fiber supply of Missouri residents and the world; and

Whereas, the agriculture industry is recognized as an important contributor to the economic vitality of the state of Missouri through jobs, capital investment, farm income, value added sectors, and contributions to the state’s tax base; and

Whereas, the crop protection industry is among the most studied and regulated of all industries at both the state and federal levels; and

Whereas, the continued success of these industries and our nation’s position as a world leader in crop protection chemistries, genetically engineered or enhanced traits and nutrients depends on state and federal regulators utilizing science based data to assess both product and ingredient safety; and

Whereas, sound science rather than the “precautionary principle” should be the bedrock of our nation’s regulatory scheme:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urges the Missouri Congressional delegation to support the use of science based data to assess the impacts and the regulation of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and

Be It Further Resolved that the Missouri General Assembly strongly urges the Missouri Congressional delegation to oppose legislative or regulatory action that may result in unnecessary restrictions on the use of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients that are not based on sound science; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri’s Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 996—By Pearce, Curls and Holsman.

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to distribution of state school aid for charter schools.

SB 997—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto five new sections relating to higher education.

SB 998—By Romine.

An Act to repeal section 161.095, RSMo, and to enact in lieu thereof one new section relating to high school equivalency degree testing.

SB 999—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to dental insurance.

SB 1000—By Wallingford.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to taxation of out-of-state income.

SB 1001—By Wallingford.

An Act to repeal section 375.001, RSMo, and to enact in lieu thereof two new sections relating to insurance policy events.

SB 1002—By Hegeman.

An Act to repeal section 67.1471, RSMo, and to enact in lieu thereof one new section relating to community improvement districts.

SB 1003—By Onder.

An Act to repeal section 71.675, RSMo, and to enact in lieu thereof one new section relating to the prohibition on political subdivisions from participating in any federal court action to collect taxes.

SB 1004—By Onder.

An Act to amend supreme court rule 52.08, for the purposes of prohibiting political subdivisions from participating in certain class actions.

SB 1005—By Walsh.

An Act to repeal section 174.335, RSMo, and to enact in lieu thereof one new section relating to meningococcal disease.

SB 1006—By Munzlinger.

An Act to repeal sections 217.670 and 217.690, RSMo, and to enact in lieu thereof two new sections relating to videoconferencing at hearings before the board of probation and parole.

SB 1007—By Munzlinger.

An Act to repeal sections 49.082, 50.327, 50.333, 51.281, 52.269, 53.082, 54.261, 54.320, 55.091, 57.317, 58.095, and 473.742, RSMo, and to enact in lieu thereof twelve new sections relating to compensation of county officers.

SB 1008—By Munzlinger.

An Act to amend chapter 142, RSMo, by adding thereto one new section relating to the Missouri qualified solid biomass fuel producer incentive fund.

SB 1009—By Riddle.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of “Trooper James Matthew Bava Memorial Highway”.

SB 1010—By Curls.

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table program.

SB 1011—By Cunningham and Romine.

An Act to require the conveyance of certain state properties, with an emergency clause.

REFERRALS

On behalf of President Pro Tem Richard, Senator Kehoe referred **SCR 60** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 61—Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1473**, entitled:

An Act to repeal section, 110.140 RSMo, and to enact in lieu thereof one new section relating to county

funds depository bidding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2203**, entitled:

An Act to repeal section 130.034, RSMo, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof two new sections relating solely to investment of campaign funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Romine assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 580**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 580**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 580

An Act to repeal section 67.657, RSMo, and to enact in lieu thereof one new section relating to bonds issued by the Regional Convention and Sports Complex Authority, with an emergency clause.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 580** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 580, Page 1, In the Title, Line 3, by striking said line and inserting in lieu thereof the following: “to bonds issued by certain sports complex authorities,”; and

Further amend said bill and page, Section A, line 2, by inserting after all of said line the following:

“64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the

authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which rents, revenues, receipts and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the

authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of Congress.

2. The authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments.

3. Any expenditure made by the authority located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, that is over twenty-five thousand dollars, including professional service contracts, must be competitively bid.

4. Nothing in this section shall be construed to provide authority for the extension of existing bonds where existing principal will be increased or any additional bonding authority to the executive branch without legislative or voter approval. The state shall not enter into any agreement with an authority obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend said bill, page 5, Section 67.657, line 157, by inserting after all of said line the following:

“70.851. 1. The state and any participating counties and cities may participate in a qualifying project pursuant to a contract, agreement, lease or sublease with any county, city, political subdivision, public authority or public entity or otherwise as provided by law owning or operating the qualifying project for a term not to exceed the term of any bond or other indebtedness issued to fund construction of the project or for thirty-five years, whichever is less. Such contract, agreement, lease or sublease shall provide that the state and any participating counties and cities as applicable, shall pay rent or other fees or charges, subject to annual appropriation, in an amount equal to the total obligations of the owner or operator of the project in connection with the financing and preservation thereof. The amount paid by each shall not exceed its new net public fiscal benefit hereinafter defined in section 70.853. The proportionate share of such rent, fees or charges paid by the state shall not exceed fifty percent of such obligations and the balance of such obligations shall be divided equally between or among the participating counties and cities; provided, however, that if a participating county or city shall not pay all of its share because its new net public fiscal benefit is less than its share of the payments, the proportionate share paid by the state shall increase to not more than sixty percent of such obligations to offset such difference. The obligations of the owner or operator of the project in connection with the preservation thereof to be used in the calculation of the rent, fees or charges to be paid pursuant to such contract, agreement, lease or sublease shall be those obligations set forth in the documents executed in connection with and necessary to secure the financing of the project and shall be limited in each fiscal year of the state to two percent of the total project cost. Any such contract, agreement, lease or sublease entered into with respect to a qualifying project shall contain for each fiscal year of the project, a limit, expressed in dollars, on the amount of rents, fees or charges payable by each of the state and any participating county or city. It may further provide that the owner of the project and the state and such participating counties and cities, or any combination thereof, will mortgage, pledge, assign, convey or grant security in any interest which they may have in such project. Any such rent, fees or charges shall be paid in accordance with the procedure established in section 70.856 and in any such contract, agreement, lease or sublease.

2. In the event any rent, fees or charges provided for in a contract, agreement, lease or sublease described in subsection 1 of this section are insufficient to discharge the obligations of the owner or operator of a qualifying project in connection with the financing and maintenance of such project, the user, tenant or lessee that secured a letter of credit, policy of insurance or guaranty securing payment of any bonds or other indebtedness issued to fund construction of the project shall deposit such shortfall with the owner or operator of the project at such time or times as are necessary to discharge such obligations.

3. The state and any participating counties or cities that choose to participate in any qualifying project shall enter into a contract, agreement, lease or sublease for such purpose, which shall be executed by the chief executive or administrative officer of the state and approved by the board of public buildings, and shall be executed by the chief executive or administrative officer of the county or city and approved by the adoption of a resolution or ordinance by the governing body of each county and city.

4. The state shall not enter into any contract, agreement, lease, or sublease under this section obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Nasheed requested a roll call vote be taken and was joined in her request by Senators Keaveny,

Hegeman, Wallingford and Silvey.

SA 1 was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Onder—1

Absent with leave—Senators—None

Vacancies—2

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 580, Page 1, In the Title, Lines 3-4, by striking said lines and inserting in lieu thereof the following:

“to bonds issued by political subdivisions, with an emergency clause.”

Further amend said bill, page 5, Section 67.657, line 157 by inserting immediately after said line the following:

“67.1155. 1. The authority shall have the following powers:

(1) To acquire property by gift, bequest, purchase, or lease from public or private sources, and to plan, construct, operate, maintain, or lease to others for construction, operation and maintenance, any convention, visitor and sports facility, any parking facility and other suitable concessions, and all other incidental facilities suitable for all types of convention, visitor and sports activities;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, and to sue and to be sued and to adopt bylaws for the regulation of its affairs and the conduct of its business;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state, or other political subdivisions or agencies or by the federal government or any agency or officer thereof, or from any other source;

(5) To disburse funds for its lawful activities and fix the salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as follows:

(a) Bonds or notes issued under the authority of this section shall be issued pursuant to a resolution adopted by the commissioners of the authority, which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution;

(b) Such bonds or notes shall bear interest at such rates as determined by the authority and shall mature within a period not exceeding thirty years, and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state;

(c) Such bonds or notes may be payable to the bearer, may be registered or coupon bonds or notes and, if payable to the bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same. The resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing such bonds. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost;

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, and revenues from the tax authorized to be levied under section 67.1158. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation other than the tax authorized by section 67.1158. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income referred to in sections 67.1150 to 67.1158, or any part of such rents, revenues, receipts, and income, or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust;

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes, and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued;

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof, into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes;

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded;

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject to the provisions of chapter 523. No property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivision shall be taken by the authority without the express authority or consent of such political subdivision.

2. Nothing in this section shall be construed to provide authority for the extension of existing bonds where existing principal will be increased or any additional bonding authority to the authority without legislative or voter approval. The state shall not enter into any agreement with the authority obligating the state to pay back any portion of any newly issued bonds without approval of the general assembly by concurrent resolution or voter approval.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 2** amends previously amended material.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **SB 580**, with **SCS, SA 2** and the point of order (pending), on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Russel McCorkle, Max Walters, Kenny Owen and Jeff Hull, Barton County Electric Cooperative.

Senator Curls introduced to the Senate, Ida Campbell-Jones and Amanda Roberts, University of Missouri-Columbia.

Senator Pearce introduced to the Senate, Larry Isaac and Pam Schutt, Midwestern Higher Education Compact, Minneapolis, MN.

Senator Libla introduced to the Senate, Teresa Johnson, Poplar Bluff; Ann Matthews, Malden; Maura Kellams, Portageville and Misty Love-Lopez, Redford, Three Rivers College.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTEENTH DAY—TUESDAY, FEBRUARY 2, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 991-Onder, et al	SB 1002-Hegeman
SB 992-Brown	SB 1003-Onder
SB 993-Curls	SB 1004-Onder
SB 994-Munzlinger	SB 1005-Walsh
SB 995-Riddle	SB 1006-Munzlinger
SB 996-Pearce, et al	SB 1007-Munzlinger
SB 997-Pearce	SB 1008-Munzlinger
SB 998-Romine	SB 1009-Riddle
SB 999-Wallingford	SB 1010-Curls
SB 1000-Wallingford	SB 1011-Cunningham and Romine
SB 1001-Wallingford	

HOUSE BILLS ON SECOND READING

HB 1870-Hoskins	HB 1473-Dugger
HB 2226-Barnes	HB 2203-Barnes

THIRD READING OF SENATE BILLS

SCS for SB 765-Schmitt and Nasheed

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|---------------------------------|
| 1. SB 655-Munzlinger | 9. SB 711-Brown |
| 2. SB 657-Munzlinger, with SCS | 10. SB 816-Wieland, et al |
| 3. SJR 19-Munzlinger, with SCS | 11. SB 639-Riddle |
| 4. SB 578-Keaveny, with SCS | 12. SB 825-Munzlinger |
| 5. SB 579-Schaaf, et al | 13. SB 664-Parson |
| 6. SB 635-Hegeman | 14. SB 703-Munzlinger, with SCS |
| 7. SB 677-Sater | 15. SB 847-Emery and Richard |
| 8. SBs 620 & 582-Romine, with SCS | 16. SB 608-Sater |

- | | |
|---------------------------------------|----------------------------------|
| 17. SB 621-Romine | 26. SB 640-Schatz |
| 18. SB 581-Schaaf | 27. SB 656-Munzlinger |
| 19. SB 607-Sater | 28. SB 732-Munzlinger |
| 20. SB 619-Wallingford | 29. SB 641-Schatz |
| 21. SB 644-Onder, with SCS | 30. SB 706-Dixon |
| 22. SB 682-Cunningham and Romine | 31. SB 794-Wallingford, with SCS |
| 23. SB 704-Munzlinger, with SCS | 32. SB 799-Kraus |
| 24. SB 838-Silvey and Walsh, with SCS | 33. SB 875-Schaefer |
| 25. SB 783-Onder | |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of order
(pending)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 665-Parson
SB 660-Wasson

SB 887-Walsh
SB 818-Schatz and Riddle, with SCS

RESOLUTIONS

To be Referred

SCR 62-Emery

SCR 63-Curls and Munzlinger

✓

Journal of the Senate

SECOND REGULAR SESSION

FIFTEENTH DAY—TUESDAY, FEBRUARY 2, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For he will hide me in his shelter in the day of trouble; he will conceal me under the cover of his tent; he will set me high on a rock.”
(Psalm 27:5)

Almighty God, You have commanded us to pray and You promise to hear us. So we ask, hear the prayers of Your people and grant us all that we need. Comfort and sustain us and be with us who pray and study Your word. And, cast out doubts and fears and keep us under Your wing, teaching us to trust You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow members of Lewis County law enforcement to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1373, regarding former Missouri Senator Tom Dempsey, which was adopted.

Senator Hegeman offered Senate Resolution No. 1374, regarding the Fiftieth Wedding Anniversary of Richard and Sharon Lanning, Lathrop, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1012—By Dixon.

An Act to repeal section 488.2206, RSMo, and to enact in lieu thereof one new section relating to court surcharges collected for the construction and maintenance of judicial facilities.

SB 1013—By Dixon.

An Act to repeal sections 542.296, 544.250, 545.400, and 545.490, RSMo, and to enact in lieu thereof four new sections relating to criminal procedure.

SB 1014—By Dixon.

An Act to repeal section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to admission of chemical test results in intoxication related proceedings, with an emergency clause.

SB 1015—By Nasheed.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the use of electronic wireless communications devices while operating a motor vehicle, with existing penalty provisions.

SB 1016—By Wieland.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to establishing a state plan for occupational safety and health standards.

SB 1017—By Wieland.

An Act to repeal sections 334.700, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, and 334.725, RSMo, and to enact in lieu thereof thirteen new sections relating to athletic trainers, with penalty provisions.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 655** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 655, Page 6, Section 266.336, Line 131, by striking “advisory council” and inserting in lieu thereof the following: “**fertilizer control board**”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

Senator Munzlinger offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 655, Page 1, In the Title, Line 4, by inserting after the word “board” the following: “, with existing penalty provisions”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 655, Page 4, Section 266.336, Line 66, by inserting immediately after the word “sections” the following:

“;

(9) Institute and prosecute through the attorney general of the state suits to collect any fees due under sections 266.301 to 266.347 which are not promptly paid”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SB 655**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 657**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 657**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 657

An Act to repeal sections 319.114, 414.036, and 414.255, RSMo, and to enact in lieu thereof three new sections relating to liability for the use of incompatible motor fuel.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 657** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 657**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 657

An Act to repeal sections 319.114, 414.036, and 414.255, RSMo, and to enact in lieu thereof three new sections relating to liability for the use of incompatible motor fuel.

Senator Munzlinger moved that **SS** for **SCS** for **SB 657** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 657, Page 9, Section 414.255, Line 9 of said page, by inserting immediately after the word “with” the following: “**state and federal**”; and further amend line 10 of said page, by inserting immediately after the word “laws” the following: “, **including Clean Air Act Section 211,**”; and further amend line 17 of said page, by inserting immediately after the word “with” the following: “**Clean Air Act Section 211 and**”; and further amend line 26 of said page, by inserting immediately after said line the following:

“12. No motor fuel refiner, supplier, terminal, wholesaler, distributor, retailer, or other vendor of motor fuel shall be liable under this section or any other state or local law, including common law, for any claim alleging that an underground storage tank, underground storage tank system, or associated dispensing equipment is not compatible with a motor fuel if the underground storage tank system was issued either:

(1) A certification or listing of the UST system equipment or components by a nationally recognized, independent testing laboratory; or

(2) Written approval by the UST system equipment or component manufacturers for that motor fuel to be stored therein.”.

Senator Schatz moved that the above amendment be adopted, which motion failed.

Senator Munzlinger moved that **SS** for **SCS** for **SB 657** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 657** was declared perfected and ordered printed.

Senator Munzlinger moved that **SJR 19**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 19

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

Was taken up.

Senator Munzlinger moved that **SCS** for **SJR 19** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SJR 19**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 19

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

Senator Munzlinger moved that **SS** for **SCS** for **SJR 19** be adopted.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Joint Resolution No. 19, Page 2, Section 40 (a), Lines 5-9, by striking all of said lines and inserting in lieu thereof the following: “party. **Of the nine members, eight members shall**”.

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Munzlinger **SJR 19** with **SCS**, **SS** for **SCS** and **SA 1** (pending) was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 665**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Neal Bredehoeft, Lafayette County.

Senator Hegeman introduced to the Senate, representatives of Great Northwest Day.

Senator Holsman introduced to the Senate, Teresa Hensley, Raymore.

Senator Munzlinger introduced to the Senate, Sheriff David Parrish, Lewis County.

Senator Onder introduced to the Senate, members of the Missouri Society of Anesthesiologists.

On behalf of Senator Libla and himself, the President introduced to the Senate, Peter Rost, New Madrid; and Christine Tew.

Senator Pearce introduced to the Senate, Jerry Phenix and his wife, Shelley, Holden; and Jim Towery, North Kansas City.

Senator Schaaf introduced to the Senate, Shana Meyer, Ida Hafener, Megan Helt, Handen McDonald, Cierra Edwards, Alec Guy, and Brad Stanton, St. Joseph.

Senator Schaaf introduced to the Senate, Harry Roberts and R.T. Turner, St. Joseph.

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Jim Kelly; Dr. John Dollerschell, and Dr. Melissa Meiners, Kansas City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 3, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 991-Onder, et al	SB 1005-Walsh
SB 992-Brown	SB 1006-Munzlinger
SB 993-Curls	SB 1007-Munzlinger
SB 994-Munzlinger	SB 1008-Munzlinger
SB 995-Riddle	SB 1009-Riddle
SB 996-Pearce, et al	SB 1010-Curls
SB 997-Pearce	SB 1011-Cunningham and Romine
SB 998-Romine	SB 1012-Dixon
SB 999-Wallingford	SB 1013-Dixon
SB 1000-Wallingford	SB 1014-Dixon
SB 1001-Wallingford	SB 1015-Nasheed
SB 1002-Hegeman	SB 1016-Wieland
SB 1003-Onder	SB 1017-Wieland
SB 1004-Onder	

HOUSE BILLS ON SECOND READING

HB 1870-Hoskins	HB 1473-Dugger
HB 2226-Barnes	HB 2203-Barnes

THIRD READING OF SENATE BILLS

SCS for SB 765-Schmitt and Nasheed

SENATE BILLS FOR PERFECTION

1. SB 578-Keaveny, with SCS	11. SB 703-Munzlinger, with SCS
2. SB 579-Schaaf, et al	12. SB 847-Emery and Richard
3. SB 635-Hegeman	13. SB 608-Sater
4. SB 677-Sater	14. SB 621-Romine
5. SBs 620 & 582-Romine, with SCS	15. SB 581-Schaaf
6. SB 711-Brown	16. SB 607-Sater
7. SB 816-Wieland, et al	17. SB 619-Wallingford
8. SB 639-Riddle	18. SB 644-Onder, with SCS
9. SB 825-Munzlinger	19. SB 682-Cunningham and Romine
10. SB 664-Parson	20. SB 704-Munzlinger, with SCS

21. SB 838-Silvey and Walsh, with SCS
22. SB 783-Onder
23. SB 640-Schatz
24. SB 656-Munzlinger
25. SB 732-Munzlinger

26. SB 641-Schatz
27. SB 706-Dixon
28. SB 794-Wallingford, with SCS
29. SB 799-Kraus
30. SB 875-Schaefer

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)

SJR 19-Munzlinger, with SCS, SS for SCS
& SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 660-Wasson
SB 887-Walsh

SB 818-Schatz and Riddle, with SCS

RESOLUTIONS

To be Referred

SCR 62-Emery

SCR 63-Curls and Munzlinger

✓

Journal of the Senate

SECOND REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 3, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let days speak and many years teach wisdom. But it is the spirit in a man, the breath of the Almighty, that makes him understand.” (Job 32:7-8)

Gracious God, we know that all life continues only as long as it is renewed and we pray daily that we might be renewed by Your Holy Spirit so that we are capable of performing the work You have given us to do. We pray that You will inspire with wisdom and accomplish that which is well pleasing in Your sight. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from

Marion, Ralls and Grundy Counties to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 1375, regarding D&D Sexton, Incorporated, Carthage, which was adopted.

Senator Kraus offered Senate Resolution No. 1376, regarding Stacey Edmonson, which was adopted.

Senator Schupp offered Senate Resolution No. 1377, regarding the National Council on Alcoholism and Drug Abuse, which was adopted.

Senator Kehoe offered Senate Resolution No. 1378, regarding Twehous Excavating Co., Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1379, regarding the One Hundred Fiftieth Anniversary of Lincoln University, Jefferson City, which was adopted.

Senators Holsman and Curls offered Senate Resolution No. 1380, regarding Marsha Morgan, which was adopted.

Senator Nasheed offered Senate Resolution No. 1381, regarding XPO Logistics, which was adopted.

Senator Cunningham offered Senate Resolution No. 1382, regarding the Fiftieth Wedding Anniversary of Joe and Shirley Shockey, Gainesville, which was adopted.

Senator Schatz offered Senate Resolution No. 1383, regarding Sheriff Gary F. Toelke, Franklin County, which was adopted.

Senator Schatz offered Senate Resolution No. 1384, regarding Major/Chief Deputy Michael F. Copeland, Franklin County, which was adopted.

Senator Riddle offered Senate Resolution No. 1385, regarding Pamela Anne Walker, Holts Summit, which was adopted.

Senator Wasson offered Senate Resolution No. 1386, regarding Wil-Trans, Stafford, which was adopted.

Senator Wallingford offered Senate Resolution No. 1387, regarding Hull Trucking, Inc., Old Appleton, which was adopted.

Senator Silvey offered Senate Resolution No. 1388, regarding American Central Transport, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 1389, regarding Kirk L. Davis, Gladstone, which was adopted.

Senator Brown offered Senate Resolution No. 1390, regarding Eagle Scout Harrison Burton Colbert, Steelville, which was adopted.

REFERRALS

President Pro Tem Richard referred **SCR 62** and **SCR 63** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1018—By Schmitt.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

Senator Pearce assumed the Chair.

SB 1019—By Sater.

An Act to repeal section 334.253, RSMo, and to enact in lieu thereof one new section relating to physician referral for physical therapy.

SB 1020—By Sifton.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for certain small businesses.

SB 1021—By Parson.

An Act to repeal section 110.010, RSMo, and to enact in lieu thereof one new section relating to security of ambulance district funds.

SB 1022—By Parson.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof eleven new sections relating to the licensing of roofing contractors, with penalty provisions.

SB 1023—By Parson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to predetermination of health care benefits, with an effective date.

SB 1024—By Parson.

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to animals.

SB 1025—By Kraus.

An Act to repeal sections 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to the taxation of instrumental classes.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1366** and **1878**, entitled:

An Act to repeal sections 338.056, 338.059, and 338.100, RSMo, and to enact in lieu thereof four new sections relating to interchangeable biological products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 655** and **SS** for **SCS** for **SB 657**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1026—By Schatz.

An Act to repeal section 571.126, RSMo, and to enact in lieu thereof seven new sections relating to lifetime permits that allow the concealed carrying of firearms, with penalty provisions.

SB 1027—By Schatz.

An Act to repeal sections 287.020, 287.149, 287.170, and 287.390, RSMo, and to enact in lieu thereof four new sections relating to maximum medical improvement under workers' compensation laws.

SB 1028—By Silvey, Kehoe, Emery, Parson and Richard.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to ratemaking for public utilities.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 578**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 578**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 578

An Act to repeal sections 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-four new sections relating to commercial receiverships.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 578** be adopted.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 578, Page 2, Section 515.505, Line 24, by striking the word "with".

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny moved that **SCS** for **SB 578**, as amended, be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 578**, as amended, was declared perfected and ordered

printed.

Senator Schaaf moved that **SB 579** be taken up for perfection, which motion prevailed.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 579, Page 8, Section 192.667, Line 247, by inserting after all of said line the following:

“208.207. 1. Beginning January 1, 2017, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean, subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services, and the department may develop such rates through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.

4. (1) The department of social services shall discontinue eligibility for persons who are eligible under subsection 1 of this section if:

(a) The federal medical assistance percentage established under 42 U.S.C. Section 1396d(y) or 1396d(z) is less than ninety percent as specified for 2020 and each year thereafter or an amount determined by the MO HealthNet oversight committee to be necessary to maintain state budget solvency, whichever is lower; and

(b) The general assembly votes to discontinue eligibility for persons who are eligible under subsection 1 of this section. Prior to any vote under this paragraph, the MO HealthNet oversight committee and the department of social services shall provide the general assembly with information on the current and projected expenses incurred due to expanding eligibility to persons under subsection 1 of this section in relation to health-related savings and revenues and health outcomes of individuals and families receiving benefits under subsection 1 of this section;

(2) The department of social services shall inform persons eligible under subsection 1 of this section that their benefits may be reduced or eliminated if federal funding decreases or is eliminated.

5. The MO HealthNet oversight committee shall conduct research and investigate any potential

health-related savings and revenues associated with expanding eligibility to persons under subsection 1 of this section. The committee shall investigate the federal matching rate below which the state could not maintain the expanded eligibility to persons under subsection 1 of this section. If the amount is determined to be greater than ninety percent, the committee shall report its findings to the general assembly for its consideration prior to any vote under paragraph (b) of subdivision (1) of subsection 4 of this section. In conducting its research and investigation, the committee shall also determine the feasibility of:

(1) Implementing capped cost sharing for persons eligible under subsection 1 of this section which may be reduced based on healthy behaviors of participants;

(2) Expanding Medicaid coverage for certain health care services that are currently financed by the state; and

(3) Enrolling persons under subsection 1 of this section in private health benefit plans.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 1** is out of order as it goes beyond the scope and title of the bill. The point of order was referred to the President Pro Tem, who ruled it well taken.

On motion of Senator Schaaf, **SB 579** was declared perfected and ordered printed.

Senator Munzlinger moved that **SJR 19**, with **SCS**, **SS** for **SCS** and **SA 1** (pending) be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Holsman, the above amendment was withdrawn.

Senator Holsman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Joint Resolution No. 19, Page 2, Section 40 (a), Line 2 of said page, by striking the following: “nine” and inserting in lieu thereof the following: “**six**”; and further amend lines 3 to 13 of said page, by striking all of said lines and inserting in lieu thereof the following: “and with the advice and consent of the senate, not more than [two of whom] **three members** shall be of the same political party. The members shall have knowledge of and interest”; and further amend line 19 of said page, by striking “three” and inserting in lieu thereof the following: “**two**”; and

Further amend said resolution, Page 3, Section B, lines 8 to 9 of said page, by striking said lines and inserting in lieu thereof the following: “six?””

Senator Holsman moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Munzlinger offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Joint Resolution No. 19, Page 2, Section 40 (a), Line 21 of said page, by striking said line and inserting in lieu thereof the following: **“more than one term in twelve years. If”**

Senator Onder assumed the Chair.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Munzlinger moved that **SS** for **SCS** for **SJR 19**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SJR 19**, as amended, was declared perfected and ordered printed.

Senator Hegeman moved that **SB 635** be taken up for perfection, which motion prevailed.

On motion of Senator Hegeman, **SB 635** was declared perfected and ordered printed.

Senator Sater moved that **SB 677** be taken up for perfection, which motion prevailed.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 677, Page 1, Section 196.990, Line 8, by inserting immediately after the word “arenas” the following: “. **“Authorized entity” shall not include any public school or public charter school**”; and

Further amend said bill and section, page 4, line 99, by inserting immediately after said line the following:

“10. Nothing in this section shall be construed as superceding the provisions of section 167.630.”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Sater, **SB 677**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 620** and **SB 582**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 620** and **582**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NOS. 620 & 582

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to career and technical education.

Was taken up.

Senator Romine moved that **SCS** for **SBs 620** and **582** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill Nos. 620 and 582, Page 2, Section 178.550, Line 6, by striking the opening bracket on said line; and further amend line 7 by striking the closing bracket on said line; and further amend lines 7 to 8 by striking all of the bolded words on said lines.

Senator Schaaf moved that the above amendment be adopted and was recognized to close.

At the request of Senator Romine, **SB 620** and **SB 582**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 635**; **SS** for **SCS** for **SJR 19**; **SB 579**; and **SCS** for **SB 578**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS** for **SCS** for **SJR 19** and **SB 579** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1391, regarding Chinese New Year 2016, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1392, regarding James A. "Jim" Simon, Macon, which was adopted.

Senator Parson offered Senate Resolution No. 1393, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lewis Phillips, Windyville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Mary Smith, and representatives of the American Heart Association Midwest Affiliate.

Senator Brown introduced to the Senate, Bobby Simpson, Salem.

Senator Munzlinger introduced to the Senate, Sheriff Jimmy Shinn, Marion County; Sheriff Gerry Dinwiddie, Ralls County; and Sheriff Rodney Herring, Grundy County.

Senator Romine introduced to the Senate, his wife, Kathy, Farmington.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 4, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 991-Onder, et al	SB 1010-Curls
SB 992-Brown	SB 1011-Cunningham and Romine
SB 993-Curls	SB 1012-Dixon
SB 994-Munzlinger	SB 1013-Dixon
SB 995-Riddle	SB 1014-Dixon
SB 996-Pearce, et al	SB 1015-Nasheed
SB 997-Pearce	SB 1016-Wieland
SB 998-Romine	SB 1017-Wieland
SB 999-Wallingford	SB 1018-Schmitt
SB 1000-Wallingford	SB 1019-Sater
SB 1001-Wallingford	SB 1020-Sifton
SB 1002-Hegeman	SB 1021-Parson
SB 1003-Onder	SB 1022-Parson
SB 1004-Onder	SB 1023-Parson
SB 1005-Walsh	SB 1024-Parson
SB 1006-Munzlinger	SB 1025-Kraus
SB 1007-Munzlinger	SB 1026-Schatz
SB 1008-Munzlinger	SB 1027-Schatz
SB 1009-Riddle	SB 1028-Silvey, et al

HOUSE BILLS ON SECOND READING

HB 1870-Hoskins	HB 2203-Barnes
HB 2226-Barnes	HCS for HBs 1366 & 1878
HB 1473-Dugger	

THIRD READING OF SENATE BILLS

SCS for SB 765-Schmitt and Nasheed	SS for SCS for SJR 19-Munzlinger
SB 655-Munzlinger	(In Fiscal Oversight)
SS for SCS for SB 657-Munzlinger	SB 579-Schaaf, et al (In Fiscal Oversight)
SB 635-Hegeman	SCS for SB 578-Keaveny

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|------------------------------------|
| 1. SB 711-Brown | 14. SB 682-Cunningham and Romine |
| 2. SB 816-Wieland, et al | 15. SB 704-Munzlinger, with SCS |
| 3. SB 639-Riddle | 16. SB 838-Silvey, et al, with SCS |
| 4. SB 825-Munzlinger | 17. SB 783-Onder |
| 5. SB 664-Parson | 18. SB 640-Schatz |
| 6. SB 703-Munzlinger, with SCS | 19. SB 656-Munzlinger |
| 7. SB 847-Emery and Richard | 20. SB 732-Munzlinger |
| 8. SB 608-Sater | 21. SB 641-Schatz |
| 9. SB 621-Romine | 22. SB 706-Dixon |
| 10. SB 581-Schaaf | 23. SB 794-Wallingford, with SCS |
| 11. SB 607-Sater | 24. SB 799-Kraus |
| 12. SB 619-Wallingford | 25. SB 875-Schaefer |
| 13. SB 644-Onder, with SCS | |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)SBs 620 & 582-Romine, with SCS & SA 1
(pending)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 660-Wasson
SB 887-Walsh

SB 818-Schatz and Riddle, with SCS

✓

Journal of the Senate

SECOND REGULAR SESSION

SEVENTEENTH DAY—THURSDAY, FEBRUARY 4, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the joy of the Lord is your strength.” (Nehemiah 8:10b)

We know, O Lord, that a byproduct of our being in fellowship with You and following Your ways is joy and strength. Help us know and experience that joy and help us share our joy with those we love and those whose lives we touch daily. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Gasconade County Republican and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Silvey assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1029—By Schupp.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof six new sections relating to student safety.

SB 1030—By Schupp.

An Act to repeal sections 208.215 and 287.266, RSMo, and to enact in lieu thereof two new sections relating to MO HealthNet compensation for medical expenses.

SB 1031—By Sater.

An Act to amend chapter 407, RSMo, by adding thereto seven new sections relating to the Missouri child protection registry, with penalty provisions and an effective date.

SB 1032—By Wieland.

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to filing for nonpartisan elections in certain charter counties.

THIRD READING OF SENATE BILLS

SCS for **SB 765**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 765

An Act to repeal section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to prohibitions on traffic citation quotas, with an existing penalty provision.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SB 765** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 655, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, and 266.347, RSMo, and to enact in lieu thereof six new sections relating to the establishment of the fertilizer control board, with existing penalty provisions.

Was taken up.

On motion of Senator Munzlinger, **SB 655** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SJR 19**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 657**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 657

An Act to repeal sections 319.114, 414.036, and 414.255, RSMo, and to enact in lieu thereof three new sections relating to liability for the use of incompatible motor fuel.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 657** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Chappelle-Nadal Schaaf—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 635, introduced by Senator Hegeman, entitled:

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to palliative care.

Was taken up.

On motion of Senator Hegeman, **SB 635** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SJR 19, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 19

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

Was taken up.

On motion of Senator Munzlinger, **SS for SCS for SJR 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Emery	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Wasson

Wieland—22

NAYS—Senators

Cunningham	Dixon	Keaveny	Kraus	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the joint resolution passed.

On motion of Senator Munzlinger, title to the joint resolution was agreed to.

Senator Munzlinger moved that the vote by which the joint resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 578, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578**

An Act to repeal sections 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-four new sections relating to commercial receiverships.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **SCS for SB 578** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 991—Commerce, Consumer Protection, Energy and the Environment.

SB 992—Seniors, Families and Children.

SB 993—Jobs, Economic Development and Local Government.

SB 994—Agriculture, Food Production and Outdoor Resources.

SB 995—Jobs, Economic Development and Local Government.

SB 996—Education.

SB 997—Education.

SB 998—Education.

- SB 999**—Small Business, Insurance and Industry.
- SB 1000**—Ways and Means.
- SB 1001**—Small Business, Insurance and Industry.
- SB 1002**—Governmental Accountability and Fiscal Oversight.
- SB 1003**—Ways and Means.
- SB 1004**—Ways and Means.
- SB 1005**—Veterans' Affairs and Health.
- SB 1006**—Transportation, Infrastructure and Public Safety.
- SB 1007**—Jobs, Economic Development and Local Government.
- SB 1008**—Ways and Means.
- SB 1009**—Transportation, Infrastructure and Public Safety.
- SB 1010**—Agriculture, Food Production and Outdoor Resources.
- SB 1011**—Governmental Accountability and Fiscal Oversight.
- SB 1012**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1013**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1014**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1015**—Transportation, Infrastructure and Public Safety.
- SB 1016**—Small Business, Insurance and Industry.
- SB 1017**—Financial and Governmental Organizations and Elections.
- SB 1018**—Ways and Means.
- SB 1019**—Financial and Governmental Organizations and Elections.
- SB 1020**—Small Business, Insurance and Industry.
- SB 1021**—Jobs, Economic Development and Local Government.
- SB 1022**—Financial and Governmental Organizations and Elections.
- SB 1023**—Small Business, Insurance and Industry.
- SB 1024**—Agriculture, Food Production and Outdoor Resources.
- SB 1025**—Ways and Means.
- SB 1026**—Transportation, Infrastructure and Public Safety.
- SB 1027**—Small Business, Insurance and Industry.
- SB 1028**—Commerce, Consumer Protection, Energy and the Environment.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 782** to the Committee on Transportation, Infrastructure and Public Safety.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1870—Ways and Means.

HB 2226—Rules, Joint Rules, Resolutions and Ethics.

HB 1473—Financial and Governmental Organizations and Elections.

HB 2203—Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Daniel K. Atwill, as a member of the Missouri Workforce Development Board;

Also,

Jack Baker, Democrat; John (Jack) R. Jones, Democrat; and Mark S. Garnett, Democrat, as members of the Air Conservation Commission;

Also,

Jason S. Bean, Republican and William R. Thiel, Independent, as members of the Missouri Agricultural and Small Business Development Authority;

Also,

Don Bedell, Republican, as a member of the Conservation Commission;

Also,

John W. Briscoe, Democrat and Mary E. Nelson, Democrat, as members of the State Highways and Transportation Commission;

Also,

Mary A. Brown, Republican and Eric Cartwright, Independent, as members of the State Committee of Dietitians;

Also,

Andrew J. Burkemper, as a member of the Board of Geologist Registration;

Also,

Jeffrey D. Byrne, Democrat, as a member of the Health and Educational Facilities Authority;

Also,

Sherry Cooper, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects;

Also,

Eric Dirks, Democrat, as a member of the Missouri Ethics Commission;

Also,

Frederick T. Dyer, Republican and John A. Scherr, Democrat, as members of the St. Charles County Convention & Sports Facilities Authority;

Also,

William W. Gratz and Judith B. Huntsman, as members of the Missouri Real Estate Commission;

Also,

Marsha E. Henderson, as a member of the Advisory Commission for Dental Hygienists;

Also,

Anne K. Heyen, as a member of the Missouri State Board of Nursing;

Also,

Derek B. Hunter, Republican, as a member of the Missouri Health Facilities Review Committee;

Also,

Heather A. Koch, as a member of the Missouri Board of Occupational Therapy;

Also,

Frances L. Klahr, as a member of the State Committee for Social Workers;

Also,

Sarah M. Martin-Anderson, Independent, as a member of the State Board of Registration for the Healing Arts;

Also,

Nancy S. Maus, as a member of the Missouri Dental Board;

Also,

Ellis McSwain, Democrat, as a member of the Board of Probation and Parole;

Also,

Jennifer T. Morgan and Brandy M. Mouser, as members of the Board of Therapeutic Massage;

Also,

Blake A. Naughton, as a member of the State Committee of Psychologists;

Also,

Jason C. Ramsey and Marvin Wright, as members of the Higher Education Loan Authority of the State of Missouri;

Also,

Mary P. Seigfreid, as a member of the Mental Health Commission;

Also,

Richard N. Smith, Republican, as a member of the Northwest Missouri State University Board of Regents;

Also,

Mark Stringer, as Director of the Department of Mental Health; and

Yvonne R. Wright, as Chairman of the Governor's Council on Disability.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

February 4, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 6, 2016, for your advice and consent:

Stephen Douglas Bonney, 5542 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Board of Geologist Registration, for a term ending April 11, 2018, and until his successor is duly appointed and qualified; vice, Elizabeth "Penny" Bennett, term expired.

Oliver Glenn Boyer, 301 Ninth Street, Crystal City, Jefferson County, Missouri 63019, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Oliver Glenn Boyer, withdrawn.

Stephanie D. Briscoe, 16 Hubbard Place, Lathrop, Clinton County, Missouri 64465, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2016 and until her successor is duly appointed and qualified; vice, Tracy M. Bono, term expired.

Archie Camden, Democrat, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2016, and until his successor is duly appointed and qualified; vice, Archie Camden, RSMo. 324.028.

Jacque A. Cowherd, Independent, 3402 Tanglewood Way, Fulton, Callaway County, Missouri 65251, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2017, and until his successor is duly appointed and qualified; vice, Nadia T. Caver, term expired.

Douglas B. Drysdale, Independent, 249 Merlot Lane, Saint Albans, Franklin County, Missouri 63073, as a member of the Air Conservation Commission, for a term ending October 14, 2017, and until his successor is duly appointed and qualified; vice, Michelle R. Bernth, withdrawn.

Michael L. Gerdine, 3865 Flora Place, St. Louis, St. Louis County, Missouri 63110, as a member of the Missouri Board of Occupational Therapy, for a term ending December 11, 2017, and until his successor is duly appointed and qualified; vice, William A. Markland, term expired.

Charles A. Juden III, 614 Laurelwood, Sikeston, Scott County, Missouri 63801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2015, and until his successor is duly appointed and qualified; vice, Lane Roberts, term expired.

Charles A. Juden III, 614 Laurelwood, Sikeston, Scott County, Missouri 63801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2018, and until his successor is duly appointed and qualified; vice, Charles A. Juden III, reappointed.

Timothy W. Martin, Independent, 22048 County Road 780, Bernie, Stoddard County, Missouri 63822, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2018, and until his successor is duly appointed and qualified; vice, Thomas Bradley, term expired.

Michala Stoker, 8119 Northeast 97th Street, Kansas City, Clay County, Missouri 64157, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2020, and until her successor is duly appointed and qualified; vice, Ronald J. Walkenbach, term expired.

Tjitske G. Tubbergen-Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the State Committee for Social Workers, for a term ending October 23, 2017, and until her successor is duly appointed and qualified; vice, Laura M. Neal, term expired.

Jeffrey M. Wright, 5822 Northeast 284th Street, Turney, Clinton County, Missouri 64493, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until his successor is duly appointed and qualified; vice, Stacey L. Dujakovich, withdrawn.

Jeffrey M. Wright, 5822 Northeast 284th Street, Turney, Clinton County, Missouri 64493, as a member of the Children's Trust Fund Board, for a term ending September 15, 2018, and until his successor is duly appointed and qualified; vice, Jeffrey M. Wright, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Richard moved that the above appointments be returned to the Governor per his request, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 650**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 627**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 646**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 573**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 919**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 879**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 665**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 831**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 833**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 864**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 835**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which were referred **SB 865** and **SB 866**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 700**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 823**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 738**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 814**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 612**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which were referred **SB 688** and **SB 854**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 58**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 58

Whereas, the National Geospatial-Intelligence Agency West Campus Headquarters, now located in the southern area of St. Louis, is currently considering a new site in the St. Louis region to build a new facility; and

Whereas, the state of Missouri has shown its resolve to build a new facility in Missouri by authorizing an additional twelve million dollars

per year to the tax increment financing cap to be used solely for projects for the retention of the National Geospatial-Intelligence Agency in Missouri; and

Whereas, the City of St. Louis and the State of Missouri have supported the National Geospatial-Intelligence Agency and its mission for the past 72 years; and

Whereas, the location of the North St. Louis building site helps meet the mission of the National Geospatial-Intelligence Agency because of its proximity to current NGA facilities, its current and future workforce, and to critical education, technology, and transportation facilities; and

Whereas, the North St. Louis building location will support the mission of the National Geospatial-Intelligence Agency by maintaining workforce morale through satisfactory commute times, nearby cultural amenities and community resources such as child care in a secure work environment; and

Whereas, the North St. Louis building location meets the future workforce recruitment needs of the National Geospatial-Intelligence Agency and best meets concerns expressed by the office of Under Secretary of Defense for Intelligence Human Capital Management by being located in a more appealing urban environment that will make NGA better able to recruit and recapitalize the future workforce, thus ensuring NGA remains at the leading edge of technology; and

Whereas, the national security mission of the National Geospatial-Intelligence Agency can best be met in the North St. Louis building location; and

Whereas, the new National Geospatial-Intelligence Agency facility would result in major benefits to the visual character of the site and other non-major benefits such as health and safety improvement, construction spending, induced employment, cleanup of existing hazardous contamination, and land use improvements; and

Whereas, the short-term and long-term economic potential of this project will leave a positive impact on the city and the state for years and generations to come; and

Whereas, the North St. Louis building site is the preferred location for the next National Geospatial Agency West facility as the state seeks to rebuild North St. Louis through jobs, safety, and more economic development opportunities; and

Whereas, the St. Louis County Executive, St. Louis County Council, Mayor of St. Louis, and City of St. Charles all agree the North St. Louis site is ideal:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the National Geospatial Intelligence Agency to remain in Missouri and construct a new facility at the proposed North St. Louis building site; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the National Geospatial-Intelligence Agency, Robert Cardillo.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 677**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 802**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 804**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 623**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1562**, entitled:

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, and to enact in lieu thereof five new sections relating to sexual trafficking of a child, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1658**, entitled:

An Act to amend chapters 9 and 191, RSMo, by adding thereto three new sections relating to the show-me compassionate medical education act, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1594**, entitled:

An Act to repeal section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to stealing, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1619**, entitled:

An Act to repeal section 516.105, RSMo, and to enact in lieu thereof one new section relating to the statute of limitations for liability of mental health professionals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1478**, entitled:

An Act to repeal sections 162.401, 162.531, and 162.541, RSMo, and to enact in lieu thereof three new sections relating to bonding requirements for treasurers of seven-director school districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1668**, entitled:

An Act to repeal section 379.125, RSMo, and to enact in lieu thereof one new section relating to insurance policies issued outside of the United States.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1733**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, representatives of the Kings of Historically Black College and Universities: Brandon Jacobs, Coppin State University; Aiah Senesie, Delaware State University; Joseph Reese, Huston Tillotson; Santea Ross-Hendrix, Lincoln University of Pennsylvania; Jamal Averett, North Carolina Agriculture & Technical State University; Omari Collins, North Carolina Central University; Antonio Gooden, Talladega College; Delvakio Brown, Tennessee State University; Kwame' Jones, University of Maryland Eastern Shore; Rodie Lamb, Winston Salem State University; and Shawn Cortez Johnson, Jr., Lincoln University of Missouri.

Senator Schupp introduced to the Senate, teachers Kerry LiBrando, Laura Pupillo and Andrea Newstead; and Gabriel Bernstein, Zachary Cohen, Ido Felix, Nomi Inberg, Naomi Liebson, Mia Meir, Mollie Nathanson, Eli Peters, Yeshara Reznikov, Judah Segal, Dani Wasserman, and Alyssa Weisenberg, students from Saul Mirowitz Jewish Community Day School.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 8, 2016.

SENATE CALENDAR

EIGHTEENTH DAY—MONDAY, FEBRUARY 8, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp
SB 1030-Schupp

SB 1031-Sater
SB 1032-Wieland

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878
HCS for HB 1562
HCS for HB 1658
HB 1594-Crawford

HB 1619-McCaherty
HB 1478-Entlicher
HB 1668-Gosen
HB 1733-Davis

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)

SB 677-Sater

SENATE BILLS FOR PERFECTION

1. SB 711-Brown
2. SB 816-Wieland, et al
3. SB 639-Riddle
4. SB 825-Munzlinger
5. SB 664-Parson
6. SB 703-Munzlinger, with SCS
7. SB 847-Emery and Richard
8. SB 608-Sater
9. SB 621-Romine
10. SB 581-Schaaf
11. SB 607-Sater
12. SB 619-Wallingford
13. SB 644-Onder, with SCS
14. SB 682-Cunningham and Romine
15. SB 704-Munzlinger, with SCS
16. SB 838-Silvey, et al, with SCS
17. SB 783-Onder

18. SB 640-Schatz
19. SB 656-Munzlinger
20. SB 732-Munzlinger
21. SB 641-Schatz
22. SB 706-Dixon
23. SB 794-Wallingford, with SCS
24. SB 799-Kraus
25. SB 875-Schaefer
26. SB 573-Schmitt
27. SB 919-Schmitt, with SCS
28. SB 879-Brown
29. SB 665-Parson
30. SB 835-Wasson
31. SBs 865 & 866-Sater, with SCS
32. SB 700-Schatz
33. SB 823-Kraus, with SCS
34. SB 814-Wallingford, et al, with SCS

35. SB 612-Cunningham

36. SBs 688 & 854-Romine, with SCS

37. SB 802-Sater

38. SB 804-Onder, with SCS

39. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)SBs 620 & 582-Romine, with SCS & SA 1
(pending)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 660-Wasson

SB 887-Walsh

SB 818-Schatz and Riddle, with SCS

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

RESOLUTIONS

Reported from Committee

SCR 58-Keaveny, et al, with SCS

✓

Journal of the Senate

SECOND REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 8, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will thank you because I am marvelously made; your works are wonderful and I know it well.” (Psalm 139:13)

Wondrous God, you are a God of rest and rejuvenation who has nurtured us and help us to do that which is healthy and appropriate for us. You provide us with what we need to lead and inspire others; You open our mind and heart to assist those in need and allow us to write those laws which are beneficial. We are thankful for all You do for us and bring us to another week to serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 4, 2016 was read and approved.

Senator Onder announced photographers from the Columbia Missourian and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Schatz—1

Vacancies—2

The Lieutenant Governor was present.

Senator Onder requested unanimous consent of the Senate to allow members of Lawrence County law enforcement to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1394, regarding St. Louis AgriBusiness Club, which was adopted.

Senator Kraus offered Senate Resolution No. 1395, regarding the seventh-grade class at Summit Lakes Middle School, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1396, regarding the 2015 World Series Champion Kansas City Royals, which was adopted.

Senator Sifton offered Senate Resolution No. 1397, regarding Michael Petty, which was adopted.

Senator Sifton offered Senate Resolution No. 1398, regarding John Furrer, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 1399, regarding the Nipher Middle School orchestra program, Saint Louis County, which was adopted.

Senator Schmitt offered Senate Resolution No. 1400, regarding the Oak Brook Elementary School, Saint Louis County, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 1401, regarding the Ninetieth Anniversary of the Kirkwood Public Library, which was adopted.

Senators Schmitt and Schupp offered Senate Resolution No. 1402, regarding Rob Steeples, which was adopted.

Senator Kraus offered Senate Resolution No. 1403, regarding Eagle Scout Cameron Tecce, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 1404, regarding Eagle Scout Orion Radford, Blue Springs, which was adopted.

CONCURRENT RESOLUTIONS

Senator Nasheed offered the following concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION NO. 64

Whereas, the St. Louis area has recently suffered a tremendous loss, both financial and otherwise, due to Stan Kroenke and his associates; and

Whereas, Alan Bornstein serves as a key member of Stan Kroenke's support staff and actively helped Stan Kroenke relocate the city's former NFL franchise; and

Whereas, in an effort to relocate said NFL franchise, Stan Kroenke and his associates acted solely in their own interest without regard for the city and citizens that have supported the franchise for the last 20 years; and

Whereas, Stan Kroenke and his associates have chosen not to provide a balanced picture of the area and instead characterized the area as struggling, but decided to cause the area direct economic harm by relocating the city's former NFL franchise; and

Whereas, Stan Kroenke and his associates have received enough benefit to the detriment and at the expense of Missouri taxpayers:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Maryland Heights City Council to provide no tax incentives for Alan Bornstein or UTW Realty, through the use of tax increment financing or otherwise; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for each member of the Maryland Heights City Council.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 1033—By Pearce.

An Act to amend chapter 10, RSMo, by adding thereto two new sections relating to the designation of state dogs.

SB 1034—By Romine.

An Act to repeal section 139.031, RSMo, and to enact in lieu thereof one new section relating to taxes paid under protest.

SB 1035—By Romine.

An Act to amend chapter 444, RSMo, by adding thereto one new section relating to land reclamation.

SB 1036—By Keaveny.

An Act to amend chapter 589, RSMo, by adding thereto one new section relating to the reduction of violent crime in St. Louis city.

SB 1037—By Schaefer.

An Act to repeal section 563.031, RSMo, and to enact in lieu thereof one new section relating to the duty to retreat.

SJR 38—By Schaefer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri relating to parental rights.

CONCURRENT RESOLUTIONS

Senator Keaveny moved that **SCR 58**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **SCR 58** was taken up.

Senator Keaveny moved that **SCS** for **SCR 58** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SCR 58** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators

Kehoe Schatz—2

Vacancies—2

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 711** be taken up for perfection, which motion prevailed.

Senator Romine assumed the Chair.

On motion of Senator Brown, **SB 711** was declared perfected and ordered printed.

Senator Wieland moved that **SB 816** be taken up for perfection, which motion prevailed.

At the request of Senator Wieland, **SB 816** was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

Senator Romine assumed the Chair.

Senator Riddle moved that **SB 639** be taken up for perfection, which motion prevailed.

On motion of Senator Riddle, **SB 639** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 825** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 825, Page 1, Section A, Line 1, by inserting after all of said line the following:

“142.028. 1. As used in this section, the following terms mean:

(1) “Fuel ethanol”, a fuel which meets ASTM International specification number D 4806 or subsequent specifications for blending with gasoline for use as automotive spark-ignition engine fuel and where the ethanol is made from cereal grains, cereal grain by-products, or qualified biomass;

(2) “Fuel ethanol blends”, a mixture of ninety percent gasoline and ten percent fuel ethanol in which the gasoline portion of the blend or the finished blend meets the ASTM International specification number D 4814;

(3) “Missouri qualified fuel ethanol producer”, any producer of fuel ethanol whose principal place of business and facility for the fermentation and distillation of fuel ethanol is located within the state of Missouri and is at least fifty-one percent owned by agricultural producers actively engaged in agricultural production for commercial purposes, and which has made formal application, posted a bond, and conformed to the requirements of this section;

(4) “Professional forester”, any individual who holds a bachelor of science degree in forestry from a regionally accredited college or university with a minimum of two years of professional forest management experience;

(5) “Qualified biomass”, any wood-derived organic material harvested in accordance with a site specific forest management plan focused for long-term forest sustainability developed by a professional forester and qualified, in consultation with the conservation commission, by the Missouri agricultural and small business development authority.

2. The “Missouri Qualified Fuel Ethanol Producer Incentive Fund” is hereby created and subject to appropriations shall be used to provide economic subsidies to Missouri qualified fuel ethanol producers pursuant to this section. The director of the department of agriculture shall administer the fund pursuant to this section.

3. A Missouri qualified fuel ethanol producer shall be eligible for a monthly grant from the fund, except that a Missouri qualified fuel ethanol producer shall only be eligible for the grant for a total of sixty months unless such producer during those sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated gallons of qualified fuel ethanol production to be produced from Missouri agricultural products or qualified biomass for the succeeding calendar month, as certified by the department of agriculture, and applying such figure to the per-gallon incentive credit established in this subsection. Each Missouri qualified fuel ethanol producer shall be eligible for a total grant in any fiscal year equal to twenty cents per gallon for the first twelve and one-half million gallons of qualified fuel ethanol produced from Missouri agricultural products or qualified biomass in the fiscal year plus five cents per gallon for the next twelve and one-half million gallons of qualified fuel ethanol produced from Missouri agricultural products or qualified biomass in the fiscal year. All such qualified fuel ethanol produced by a Missouri qualified fuel ethanol producer in excess of twenty-five million gallons shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section. If actual production of qualified fuel ethanol during a particular month either exceeds or is less than that estimated by a Missouri qualified fuel ethanol producer, the department of agriculture shall adjust the subsequent monthly grant by paying additional amount or subtracting the amount in deficiency by using the calculation described in this subsection.

4. In order for a Missouri qualified fuel ethanol producer to obtain a grant from the fund for a particular month, an application for such funds shall be received no later than fifteen days prior to the first day of the month for which the grant is sought. The application shall include:

(1) The location of the Missouri qualified fuel ethanol producer;

(2) The average number of citizens of Missouri employed by the Missouri qualified fuel ethanol producer in the preceding quarter, if applicable;

(3) The number of bushels of Missouri agricultural commodities or green weight tons of qualified biomass used by the Missouri qualified fuel ethanol producer in the production of fuel ethanol in the preceding quarter;

(4) The number of gallons of qualified fuel ethanol the producer expects to manufacture during the month for which the grant is applied;

(5) A copy of the qualified fuel ethanol producer license required pursuant to subsection 5 of this section, name and address of surety company, and amount of bond to be posted pursuant to subsection 5 of this section; and

(6) Any other information deemed necessary by the department of agriculture to adequately ensure that

such grants shall be made only to Missouri qualified fuel ethanol producers.

5. The director of the department of agriculture, in consultation with the department of revenue and the department of conservation, shall promulgate rules and regulations necessary for the administration of the provisions of this section. The director shall also establish procedures for bonding Missouri qualified fuel ethanol producers. Each Missouri qualified fuel ethanol producer who attempts to obtain moneys pursuant to this section shall be bonded in an amount not to exceed the estimated maximum monthly grant to be issued to such Missouri qualified fuel ethanol producer.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

7. Notwithstanding any other provision of this section to the contrary, beginning January 1, 2009, through December 31, [2019] **2020**, the economic subsidies provided under this section to Missouri qualified fuel ethanol producers of fuel ethanol made from qualified biomass shall only be provided to two qualified fuel ethanol producers and shall not cumulatively exceed seven and one-half million dollars per qualified fuel ethanol producer. Prior to January 1, 2009, and after December 31, [2019] **2020**, Missouri qualified fuel ethanol producers of fuel ethanol made from qualified biomass shall be ineligible for economic subsidies under this section.”; and

Further amend said bill and page, section 142.029, line 1, by deleting the opening bracket “[”]; and further amend said line, by deleting “2015.]” and inserting in lieu thereof the following: “[2015] **2020**.”; and

Further amend said bill and page, section B, line 3, by striking the following: “the repeal of section 142.029 of”; and further amend line 6, by striking the following: “the repeal of section 142.029 of”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

At the request of Senator Munzlinger, **SB 825**, with **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 711**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stephen Douglas Bonney, 5542 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Board of Geologist Registration, for a term ending April 11, 2018, and until his successor is duly appointed and qualified; vice, Stephen Douglas Bonney, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Stephanie D. Briscoe, 16 Hubbard Place, Lathrop, Clinton County, Missouri 64465, as a member of the Missouri Family Trust Board of Trustees, for a term ending October 25, 2016 and until her successor is duly appointed and qualified; vice, Stephanie D. Briscoe, term withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jacque A. Cowherd, Independent, 3402 Tanglewood Way, Fulton, Callaway County, Missouri 65251, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2017, and until his successor is duly appointed and qualified; vice, Jacque A. Cowherd, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charles A. Juden III, 614 Laurelwood, Sikeston, Scott County, Missouri 63801, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2018, and until his successor is duly appointed and qualified; vice, Charles A. Juden III, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michala Stoker, 8119 Northeast 97th Street, Kansas City, Clay County, Missouri 64157, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2020, and until her successor is duly appointed and qualified; vice, Michala Stoker, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 8, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Tjitske G. Tubbergen-Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the State Committee for Social Workers, for a term ending October 23, 2017, and until her successor is duly appointed and qualified; vice, Tjitske G. Tubbergen-Maglio, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1405, regarding Robert W. Garrett, Tunas, which was adopted.

Senator Parson offered Senate Resolution No. 1406, regarding David H. Brown, Pleasant Hope, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Sater introduced to the Senate, Sheriff Brad Delay, Mt. Vernon.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

NINETEENTH DAY—TUESDAY, FEBRUARY 9, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1034-Romine
SB 1030-Schupp	SB 1035-Romine
SB 1031-Sater	SB 1036-Keaveny
SB 1032-Wieland	SB 1037-Schaefer
SB 1033-Pearce	SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1619-McCaherty
HCS for HB 1562	HB 1478-Entlicher
HCS for HB 1658	HB 1668-Gosen
HB 1594-Crawford	HB 1733-Davis

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)	SB 711-Brown
SB 677-Sater	

SENATE BILLS FOR PERFECTION

1. SB 664-Parson	14. SB 640-Schatz
2. SB 703-Munzlinger, with SCS	15. SB 656-Munzlinger
3. SB 847-Emery and Richard	16. SB 732-Munzlinger
4. SB 608-Sater	17. SB 641-Schatz
5. SB 621-Romine	18. SB 706-Dixon
6. SB 581-Schaaf	19. SB 794-Wallingford, with SCS
7. SB 607-Sater	20. SB 799-Kraus
8. SB 619-Wallingford	21. SB 875-Schaefer
9. SB 644-Onder, with SCS	22. SB 573-Schmitt
10. SB 682-Cunningham and Romine	23. SB 919-Schmitt, with SCS
11. SB 704-Munzlinger, with SCS	24. SB 879-Brown
12. SB 838-Silvey, et al, with SCS	25. SB 665-Parson
13. SB 783-Onder	26. SB 835-Wasson

27. SBs 865 & 866-Sater, with SCS
 28. SB 700-Schatz
 29. SB 823-Kraus, with SCS
 30. SB 814-Wallingford, et al, with SCS
 31. SB 612-Cunningham

32. SBs 688 & 854-Romine, with SCS
 33. SB 802-Sater
 34. SB 804-Onder, with SCS
 35. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
 order (pending)
 SBs 620 & 582-Romine, with SCS & SA 1
 (pending)

SB 816-Wieland, et al
 SB 825-Munzlinger, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 1/28

SB 660-Wasson
 SB 887-Walsh

SB 818-Schatz and Riddle, with SCS

Reported 2/4

SB 650-Pearce, with SCS
 SB 627-Nasheed
 SB 646-Schupp, with SCS
 SB 831-Wasson

SB 833-Nasheed
 SB 864-Sater
 SB 738-Parson

RESOLUTIONS

To be Referred

SCR 64-Nasheed

Journal of the Senate

SECOND REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 9, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But you have been anointed by the Holy One, and all of you have knowledge.” (1John 2:20)

Lord God, You rule and govern our hearts and minds by Your Holy Spirit, always keeping in mind the end of what we are about, we do so by Your guidance. May we be stirred up to holiness of life here and may we live with You forever in the future You hold in Your hands. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow members of law enforcement from Platte and Clay Counties to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1407, regarding Eagle Scout Dylan Guy Morris, which was adopted.

Senator Parson offered Senate Resolution No. 1408, regarding Alex Porter, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 1409, regarding Lanie Beard, Sedalia, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed.

SB 1038—By Nasheed.

An Act to repeal section 650.058, RSMo, and to enact in lieu thereof one new section relating to wrongful conviction compensation.

SB 1039—By Silvey.

An Act to amend chapter 96, RSMo, by adding thereto one new section relating to municipal hospitals.

SB 1040—By Kraus.

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

SB 1041—By Schatz and Schaaf.

An Act to amend chapter 128, RSMo, by adding thereto one new section relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

SB 1042—By Holsman.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to the protection of student data.

SB 1043—By Wieland.

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof two new sections relating to towing companies, with penalty provisions.

REFERRALS

President Pro Tem Richard referred **SCR 64** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 664** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 664** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 703**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 703**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 703

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 703** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Munzlinger, **SCS** for **SB 703** was declared perfected and ordered printed.

Senator Emery moved that **SB 847** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 847**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 847

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Senator Emery moved that **SS** for **SB 847** be adopted.

At the request of Senator Emery, **SB 847**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 639**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 620** and **SB 582**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Romine moved that **SCS** for **SBs 620** and **582** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 620** and **582** was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SB 660, introduced by Senator Wasson, entitled:

An Act to repeal section 110.140, RSMo, and to enact in lieu thereof one new section relating to bidding procedures for county depositaries, with a penalty provision.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 660** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators

Parson Schaefer Schmitt—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 887, introduced by Senator Walsh, entitled:

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 887** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—30

NAYS—Senators—None

Absent—Senators

Parson Schaefer—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 818, introduced by Senators Schatz and Riddle, with **SCS**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

Was called from the Consent Calendar and taken up by Senator Schatz.

SCS for **SB 818**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 818

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

Was taken up.

Senator Schatz moved that **SCS** for **SB 818** be adopted, which motion prevailed.

Senator Onder assumed the Chair.

On motion of Senator Schatz, **SCS** for **SB 818** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Schaefer Schupp—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 620** and **582**; **SCS** for **SB 703**; and **SB 664**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Onder.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1410, regarding the Sixty-fifth Wedding Anniversary of Wayne F. and Verna L. Miller, Lone Jack, which was adopted.

Senator Sater offered Senate Resolution No. 1411, regarding the Fiftieth Wedding Anniversary of Lee and Barbara Wilson, Billings, which was adopted.

Senator Sater offered Senate Resolution No. 1412, regarding Joe Combs, Bradleyville, which was adopted.

Senator Sifton offered Senate Resolution No. 1413, regarding Don Rau, Festus, which was adopted.

Senator Sifton offered Senate Resolution No. 1414, regarding Saint Louis Patriot Guard Riders, which was adopted.

Senator Kehoe offered Senate Resolution No. 1415, regarding Eagle Scout Kyle Brink, Tipton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1416, regarding Eagle Scout Gregory Dean Schroeder, California, which was adopted.

Senator Riddle offered Senate Resolution No. 1417, regarding Michael Craddock, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 1418, regarding Cecelia Jones, Fulton, which was adopted.

Senator Onder offered Senate Resolution No. 1419, regarding the 2015 Class 2 State Champion St. Charles County Girls Volleyball Cougars, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 847**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 847** was again taken up.

Senator Emery moved that **SS** for **SB 847** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 847, Page 3, Section 490.715, Line 11 of said page, by inserting after all of said line the following:

“6. Notwithstanding any statutory provision to the contrary, if the plaintiff or his or her employer or other representative has paid premiums or other payments to an insurer or authorized representative for the purpose of having such insurer or authorized representative pay all or any part of the plaintiff’s special damages, the plaintiff may introduce evidence of the present value of all such premiums or other payments and may recover such amount as part of his or her special damages.”.

Senator Nasheed moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Nasheed offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 847, Page 1, Section 490.715, Line 10 by inserting immediately after “damages” the following **“in addition to all other damages.”**

Senator Nasheed moves that the above amendment be adopted.

At the request of Senator Emery, **SB 847**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mathew R. Martinez, 1205 Cambridge Drive, Warrensburg, Johnson County, Missouri 64093, as a student representative of the University of Central Missouri Board of Governors, for a term ending December 31, 2017, and until his successor is duly appointed and qualified; vice, Elizabeth Wood, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Daryl R. Sorrell, 3667 County Road 410, Poplar Bluff, Butler County, Missouri 63901, as a member of the Seismic Safety Commission, for a term ending July 1, 2018, and until his successor is duly appointed and qualified; vice, Donald Shaw, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Mayor Taylor Elwell, Leeton.

Senator Pearce introduced to the Senate, Professors Adriatik Likcani and Ryan Peterson; and Lauren Peters, Michellei Sika, Callie Porter, Lisa Welch, Shelby Koetting, Shelby Kenny, Mariah Wright, Kamille Greene, Raven Shelton, Scout Miller, Blake Dorsey, Jessica Greene, Amanda McCullough, Bentley Littrell and Kelsey Moore, representatives of the Child and Family Development Program-UCM and the Missouri Association for Marriage and Family Therapy.

Senator Hegeman introduced to the Senate, Paula Overfelt, Heidi Hegeman, Misty Todd, and Cory Smith, Northwest Missouri AHEC.

Senator Schupp introduced to the Senate, Steven Lobser, Pattonville High School.

Senator Nasheed introduced to the Senate, Cenia Bosman and representatives of YMCA, St. Louis.

Senator Schaaf introduced to the Senate, Sheriff Paul Vescovo, Liberty; and Sheriff Mark Owen, Platte City.

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Garry Gaddis, Kansas City.

Senator Kehoe introduced to the Senate, Will Robertson, Hunter Hennier, Anna Massman and Brianna Hall and members of the 2015 Class 2 State Second Place Softball team, the 2015 Class 3 State Fourth place Lady Comet Track and Field Team, the 2015 Class 3 State Fourth place Boys Cross Country team, the 2015 Class 3 State Champion Baseball team and the 2015 Class 2 State Champion Lady Comet Cross Country, Fatima High School, Westphalia.

On behalf of Senators Schaaf, Hegeman, Schaefer, Riddle, Pearce, Kehoe, Sater, Parson, Richard, Cunningham, Schatz, Libla, Wallingford and himself, Senator Munzlinger introduced to the Senate, Maggie Voisard, Faucett; Adam Kirby, Trenton; Hadley Williams, Milan; Alex Stichnote, Ashland; Brandelyn Martin, Silex; Austin Boland, Sweet Springs; Rylee Streit, Holden; Jacob Hoellering, California; Ty Whittaker, Miller; Tanner Koenig, Flemington; Maura Butler, Seneca; Clay Smith, Mansfield; Hunter Corman, Pomona; Braxton Hoemann, Washington; Alexa Nordwald, East Prairie; and Morgan Taylor, Greenville, 2016 State FFA Officers.

Senator Nasheed introduced to the Senate, Chester Deanes, St. Louis.

On behalf of Senator Onder, the President introduced to the Senate, Dan Schwartz and Glen Klausner, Augusta.

Senator Pearce introduced to the Senate, Denise Carrick Hedges, Priscilla Barrios, Cierra Bergen, Maria Campos, Fortunate Zondo, Kenzi Bacchus, Grace Cole, Maurissa Cunningham, Mame Dia, Sophia Dominguez-Heithoff, Nicole D'Souza, Alexandra Green, Hannah Hall, Charlene Hansen, Catherine Henne, Taylor Holmes, Lauren Ingraham, Alaina Kent, Renny Ma, Elisabeth (Libby) Miller, Hannah Motley, Evelyn Shelby, JoLynn Smith, Athena Tran, Mahasin Tutu and Brittanie Whitney, Girls Leadership Program, Kansas City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTIETH DAY—WEDNESDAY, FEBRUARY 10, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1037-Schaefer
SB 1030-Schupp	SB 1038-Nasheed
SB 1031-Sater	SB 1039-Silvey
SB 1032-Wieland	SB 1040-Kraus
SB 1033-Pearce	SB 1041-Schatz and Schaaf
SB 1034-Romine	SB 1042-Holsman
SB 1035-Romine	SB 1043-Wieland
SB 1036-Keaveny	SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1619-McCaherty
HCS for HB 1562	HB 1478-Entlicher
HCS for HB 1658	HB 1668-Gosen
HB 1594-Crawford	HB 1733-Davis

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)	SB 639-Riddle
SB 677-Sater	SCS for SBs 620 & 582-Romine
SB 711-Brown	SCS for SB 703-Munzlinger
	SB 664-Parson

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|---|
| 1. SB 608-Sater | 17. SB 799-Kraus |
| 2. SB 621-Romine | 18. SB 875-Schaefer |
| 3. SB 581-Schaaf | 19. SB 573-Schmitt |
| 4. SB 607-Sater | 20. SB 919-Schmitt, with SCS |
| 5. SB 619-Wallingford | 21. SB 879-Brown |
| 6. SB 644-Onder, with SCS | 22. SB 665-Parson |
| 7. SB 682-Cunningham and Romine | 23. SB 835-Wasson |
| 8. SB 704-Munzlinger, with SCS | 24. SBs 865 & 866-Sater, with SCS |
| 9. SB 838-Silvey, et al, with SCS | 25. SB 700-Schatz |
| 10. SB 783-Onder | 26. SB 823-Kraus, with SCS |
| 11. SB 640-Schatz | 27. SB 814-Wallingford, et al, with SCS |
| 12. SB 656-Munzlinger | 28. SB 612-Cunningham |
| 13. SB 732-Munzlinger | 29. SBs 688 & 854-Romine, with SCS |
| 14. SB 641-Schatz | 30. SB 802-Sater |
| 15. SB 706-Dixon | 31. SB 804-Onder, with SCS |
| 16. SB 794-Wallingford, with SCS | 32. SB 623-Libla |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 580-Schaaf, with SCS, SA 2 & point of
order (pending) | SB 825-Munzlinger, with SA 1 (pending) |
| SB 816-Wieland, et al | SB 847-Emery and Richard, with SS, SA 1
& SA 1 to SA 1 (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/4

- | | |
|-------------------------|----------------|
| SB 650-Pearce, with SCS | SB 833-Nasheed |
| SB 627-Nasheed | SB 864-Sater |
| SB 646-Schupp, with SCS | SB 738-Parson |
| SB 831-Wasson | |

Journal of the Senate

SECOND REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 10, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You will seek the Lord your God, and you will find him if you search after him with all your heart and soul.” (Deuteronomy 4:29)

Merciful God, many of Your people observe Ash Wednesday and this season’s call to reflect on our lives and how we are called by You to live them. May we be true to this day, aware of our missing the mark of Your call to righteousness and need of Your mercy. You hear our groans and provide us with hope. As we walk through this day of ashes toward Your promise to be with You always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 1420, regarding Deborah Siebern-Dennis, which was adopted.

Senator Wasson offered Senate Resolution No. 1421, regarding Roy A. Scherer, Sparta, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed.

SB 1044—By Wasson.

An Act to repeal section 67.410, RSMo, and to enact in lieu thereof one new section relating to ordinances for the abatement of public nuisances, with an existing penalty provision.

SB 1045—By Schaefer.

An Act to repeal section 572.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 572.010 as enacted by Referendum, Proposition A, November 3, 1992, and to enact in lieu thereof one new section relating to gambling.

SB 1046—By Schaefer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to motorcycle profiling.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 608** be taken up for perfection, which motion prevailed.

Senator Sater offered **SS** for **SB 608**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 608

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to MO HealthNet health care provider fees.

Senator Sater moved that **SS** for **SB 608** be adopted.

Senator Hegeman assumed the Chair.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 3, by inserting after all of said line the following:

“191.875. 1. This section shall be known as the “Health Care Cost Reduction and Transparency Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “DRG”, diagnosis related group;

(3) “Estimate of cost”, an estimate based on the information entered and assumptions about typical utilization and costs for health care services. Such estimates of cost shall encompass only those services within the direct control of the health care provider and shall include the following:

(a) The amount that will be charged to a patient for the health services if all charges are paid in full without a public or private third party paying for any portion of the charges;

(b) The average negotiated settlement on the amount that will be charged to a patient required to be provided in paragraph (a) of this subdivision;

(c) The amount of any MO HealthNet reimbursement for the health care services, including claims and pro rata supplemental payments, if known;

(d) The amount of any Medicare reimbursement for the medical services, if known; and

(e) The amount of any insurance copayments for the health benefit plan of the patient, if known;

(4) “Health care provider”, any ambulatory surgical center, assistant physician, chiropractor, clinical psychologist, dentist, hospital, long-term care facility, nurse anesthetist, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, registered nurse, or other licensed health care facility or professional providing health care services in this state;

(5) “Health carrier”, an entity as such term is defined under section 376.1350;

(6) “Hospital”, as such term is defined under section 197.020;

(7) “Insurance costs”, an estimate of cost of covered services provided by a health carrier based on a specific insured’s coverage and health care services to be provided. Such insurance cost shall include:

(a) The average negotiated reimbursement amount to any health care provider;

(b) Any deductibles, copayments, or coinsurance amounts, including those whose disclosure is mandated under section 376.446; and

(c) Any amounts not covered under the health benefit plan;

(8) “Public or private third party”, a state government, the federal government, employer, health carrier, third-party administrator, or managed care organization.

3. On or after July 1, 2017, any patient or consumer of health care services who makes a written request for an estimate of the cost of health care services from a health care provider shall be provided such estimate no later than five business days after receiving such request, except when the requested information is posted on the department’s website under subsection 8 of this section. Any patient or consumer of health care services who makes a written request for the insurance costs from such patient’s or consumer’s health carrier shall be provided such insurance costs no later than five business days after receiving such request. The provisions of this subsection shall not apply to emergency health care services.

4. Health care providers, and the department under subsection 8 of this section, shall include with

any estimate of costs the following: “Your estimated cost is based on the information entered and assumptions about typical utilization and costs. The actual amount billed to you may be different from the estimate of costs provided to you. Many factors affect the actual bill you will receive, and this estimate of costs does not account for all of them. Additionally, the estimate of costs is not a guarantee of insurance coverage. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. Please check with your insurance company to receive an estimate of the amount you will owe under your plan or if you need help understanding your benefits for the service chosen.”.

5. Health carriers shall include with any insurance costs the following: “Your insurance costs are based on the information entered and assumptions about typical utilization and costs. The actual amount of insurance costs and the amount billed to you may be different from the insurance costs provided to you. Many factors affect the actual insurance costs, and the insurance costs provided do not account for all of them. Additionally, the insurance costs provided are limited to the specific information provided and are not a guarantee of insurance coverage for additional services. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. You may contact us if you need further assistance in understanding your benefits for the service chosen.”.

6. Each health care provider shall also make available the percentage or amount of any discounts for cash payment of any charges incurred through the health care provider’s website or by making it available at the health care provider’s location.

7. Nothing in this section shall be construed as violating any health care provider contract provisions with a health carrier that prohibit disclosure of the health care provider’s fee schedule with a health carrier to third parties.

8. The department shall make available to the public on its website the most current price information it receives from hospitals under subsections 9 and 10 of this section. The department shall provide this information in a manner that is easily understood by the public and meets the following minimum requirements:

(1) Information for each participating hospital shall be listed separately and hospitals shall be listed in groups by category as determined by the department in rules adopted under this section; and

(2) Information for each hospital outpatient department shall be listed separately.

9. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in the manner and format determined by the department, the following information about the one hundred most frequently reported admissions by DRG for inpatients as established by the department:

(1) The amount that will be charged to a patient for each DRG if all charges are paid in full without a public or private third party paying for any portion of the charges;

(2) The average negotiated settlement on the amount that will be charged to a patient required to be provided in subdivision (1) of this subsection;

(3) The amount of MO HealthNet reimbursement for each DRG, including claims and pro rata

supplemental payments; and

(4) The amount of Medicare reimbursement for each DRG.

A hospital shall not report or be required to report the information required by this subsection for any of the one hundred most frequently reported admissions where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law.

10. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in a manner and format determined by the department, information on the total costs for the twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in hospital outpatient settings. Participating hospitals shall report this information in the same manner as required by subsection 9 of this section, provided that hospitals shall not report or be required to report the information required by this subsection where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of HIPAA or other federal law.

11. A hospital shall provide the information specified under subsections 9 and 10 of this section to the department. A hospital which does so shall not be required to provide that information pursuant to subsection 3 of this section.

12. Any data disclosed to the department by a hospital under subsections 9 and 10 of this section shall be the sole property of the hospital that submitted the data. Any data or product derived from the data disclosed under subsections 9 and 10 of this section, including a consolidation or analysis of the data, shall be the sole property of the state. Any proprietary information received by the department shall be a proprietary interest and may be closed under the provisions of subdivision (15) of section 610.021. The department shall not allow information it receives or discloses under subsections 9 and 10 of this section to be used by any person or entity for commercial purposes.

13. The department shall promulgate rules to implement the provisions of this section. The rules relating to subsections 8 to 12 of this section shall include all of the following:

(1) The one hundred most frequently reported DRGs for inpatients for which participating hospitals will provide the data required under subsection 9 of this section;

(2) Specific categories by which hospitals shall be grouped for the purpose of disclosing this information to the public on the department's website; and

(3) The twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in a hospital outpatient setting required under subsection 10 of this section.

Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to

review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 1**:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 3, by inserting after all of said line the following:

“191.875. 1. This section shall be known as the “Health Care Cost Reduction and Transparency Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “DRG”, diagnosis related group;

(3) “Estimate of cost”, an estimate based on the information entered and assumptions about typical utilization and costs for health care services. Such estimates of cost shall encompass only those services within the direct control of the health care provider and shall include the following:

(a) The amount that will be charged to a patient for the health services if all charges are paid in full without a public or private third party paying for any portion of the charges;

(b) The average negotiated settlement on the amount that will be charged to a patient required to be provided in paragraph (a) of this subdivision;

(c) The amount of any MO HealthNet reimbursement for the health care services, including claims and pro rata supplemental payments, if known;

(d) The amount of any Medicare reimbursement for the medical services, if known; and

(e) The amount of any insurance copayments for the health benefit plan of the patient, if known;

(4) “Health care provider”, any ambulatory surgical center, assistant physician, chiropractor, clinical psychologist, dentist, hospital, long-term care facility, nurse anesthetist, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, registered nurse, or other licensed health care facility or professional providing health care services in this state;

(5) “Health carrier”, an entity as such term is defined under section 376.1350;

(6) “Hospital”, as such term is defined under section 197.020;

(7) “Insurance costs”, an estimate of cost of covered services provided by a health carrier based on a specific insured’s coverage and health care services to be provided. Such insurance cost shall include:

(a) The average negotiated reimbursement amount to any health care provider;

(b) Any deductibles, copayments, or coinsurance amounts, including those whose disclosure is mandated under section 376.446; and

(c) Any amounts not covered under the health benefit plan;

(8) “Public or private third party”, a state government, the federal government, employer, health carrier, third-party administrator, or managed care organization.

3. On or after July 1, 2017, any patient or consumer of health care services who makes a written request for an estimate of the cost of health care services from a health care provider shall be provided such estimate no later than five business days after receiving such request, except when the requested information is posted on the department’s website under subsection 8 of this section. Any patient or consumer of health care services who makes a written request for the insurance costs from such patient’s or consumer’s health carrier shall be provided such insurance costs no later than five business days after receiving such request. The provisions of this subsection shall not apply to emergency health care services.

4. Health care providers, and the department under subsection 8 of this section, shall include with any estimate of costs the following: “Your estimated cost is based on the information entered and assumptions about typical utilization and costs. The actual amount billed to you may be different from the estimate of costs provided to you. Many factors affect the actual bill you will receive, and this estimate of costs does not account for all of them. Additionally, the estimate of costs is not a guarantee of insurance coverage. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. Please check with your insurance company to receive an estimate of the amount you will owe under your plan or if you need help understanding your benefits for the service chosen.”.

5. Health carriers shall include with any insurance costs the following: “Your insurance costs are based on the information entered and assumptions about typical utilization and costs. The actual amount of insurance costs and the amount billed to you may be different from the insurance costs provided to you. Many factors affect the actual insurance costs, and the insurance costs provided do not account for all of them. Additionally, the insurance costs provided are limited to the specific information provided and are not a guarantee of insurance coverage for additional services. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. You may contact us if you need further assistance in understanding your benefits for the service chosen.”.

6. Each health care provider shall also make available the percentage or amount of any discounts for cash payment of any charges incurred through the health care provider’s website or by making it available at the health care provider’s location.

7. Nothing in this section shall be construed as violating any health care provider contract provisions with a health carrier that prohibit disclosure of the health care provider’s fee schedule with a health carrier to third parties.

8. The department shall make available to the public on its website the most current price information it receives from hospitals under subsections 9 and 10 of this section. The department shall

provide this information in a manner that is easily understood by the public and meets the following minimum requirements:

- (1) Information for each participating hospital shall be listed separately and hospitals shall be listed in groups by category as determined by the department in rules adopted under this section; and
- (2) Information for each hospital outpatient department shall be listed separately.

9. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in the manner and format determined by the department, the following information about the one hundred most frequently reported admissions by DRG for inpatients as established by the department:

- (1) The amount that will be charged to a patient for each DRG if all charges are paid in full without a public or private third party paying for any portion of the charges;
- (2) The average negotiated settlement on the amount that will be charged to a patient required to be provided in subdivision (1) of this subsection;
- (3) The amount of MO HealthNet reimbursement for each DRG, including claims and pro rata supplemental payments; and
- (4) The amount of Medicare reimbursement for each DRG.

A hospital shall not report or be required to report the information required by this subsection for any of the one hundred most frequently reported admissions where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law.

10. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in a manner and format determined by the department, information on the total costs for the twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in hospital outpatient settings. Participating hospitals shall report this information in the same manner as required by subsection 9 of this section, provided that hospitals shall not report or be required to report the information required by this subsection where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of HIPAA or other federal law.

11. A hospital shall provide the information specified under subsections 9 and 10 of this section to the department. A hospital which does so shall not be required to provide that information pursuant to subsection 3 of this section.

12. Any data disclosed to the department by a hospital under subsections 9 and 10 of this section shall be the sole property of the hospital that submitted the data. Any data or product derived from the data disclosed under subsections 9 and 10 of this section, including a consolidation or analysis of the data, shall be the sole property of the state. Any proprietary information received by the department shall be a proprietary interest and may be closed under the provisions of subdivision (15) of section 610.021. The department shall not allow information it receives or discloses under

subsections 9 and 10 of this section to be used by any person or entity for commercial purposes.

13. The department shall promulgate rules to implement the provisions of this section. The rules relating to subsections 8 to 12 of this section shall include all of the following:

(1) The one hundred most frequently reported DRGs for inpatients for which participating hospitals will provide the data required under subsection 9 of this section;

(2) Specific categories by which hospitals shall be grouped for the purpose of disclosing this information to the public on the department's website; and

(3) The twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in a hospital outpatient setting required under subsection 10 of this section.

Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill, section 208.148, page 3, line 24, by inserting after all of said line the following:

“376.2020. 1. For purposes of this section, the following terms shall mean:

(1) “Contractual payment amount” or “payment amount”, shall mean the total amount a health care provider is to be paid for providing a given health care service pursuant to a contract with a health carrier, and includes both the portions to be paid by the patient and by the health carrier. It is commonly referred to as the allowable amount;

(2) “Enrollee”, shall have the same meaning ascribed to it in section 376.1350;

(3) “Health care provider”, shall have the same meaning ascribed to it in section 376.1350;

(4) “Health care service”, shall have the same meaning ascribed to it in section 376.1350;

(5) “Health carrier”, shall have the same meaning ascribed to it in section 376.1350.

2. No provision in a contract in existence or entered into, amended, or renewed on or after August 28, 2016, between a health carrier and a health care provider shall be enforceable if such contractual provision prohibits, conditions, or in any way restricts any party to such contract from disclosing to an enrollee, patient, potential patient, or such person's parent or legal guardian, the contractual payment amount for a health care service if such payment amount is less than the health care provider's usual charge for the health care service, and if such contractual provision prevents the determination of the potential out-of-pocket cost for the health care service by the enrollee, patient, potential patient, parent, or legal guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above substitute amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

Senator Hegeman assumed the Chair.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 608, Page 3, Section 208.148, Line 2, by striking the word “change” and inserting in lieu thereof the following: **“prohibit”**.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 608, Page 3, Section 208.148, Lines 7-8, by striking the words “a fee of no greater than five dollars” and inserting in lieu thereof the following: **“no fee shall be charged, but such missed appointment shall be documented in the patient’s record”**; and further amend lines 9-12 by striking all of said lines and inserting in lieu thereof the following:

“(2) For the second missed appointment, a fee of no greater than five dollars;

(3) For the third missed appointment, a fee of no greater than ten dollars; and

(4) For the fourth and each subsequent missed appointment, a fee of no greater than twenty dollars.

Such health care providers shall waive the missed appointment fee in cases of inclement weather.”.

Senator Walsh moved that the above amendment be adopted.

Senator Walsh offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 608, Page 3, Section 208.148, Lines 7-12, by striking all of said lines and inserting in lieu thereof the following:

“(1) For the first missed appointment in a three-year period, no fee shall be charged but such missed appointment shall be documented in the patient’s record;

(2) For the second missed appointment in a three-year period, a fee of no greater than five dollars;

(3) For the third missed appointment in a three-year period, a fee of no greater than ten dollars; and

(4) For the fourth and each subsequent missed appointment in a three-year period, a fee of no greater than twenty dollars.

Such health care providers shall waive the missed appointment fee in cases of inclement weather.”.

Senator Walsh moved that the above substitute amendment be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SB 608**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SB 608**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 46**.

Concurrent Resolution ordered enrolled.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 1422, regarding Walter “Frank” Dexter, Hannibal, which was adopted.

Senator Sater offered Senate Resolution No. 1423, regarding Jim Compton, Mount Vernon, which was adopted.

Senator Parson offered Senate Resolution No. 1424, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Thomas O’Neil, Lebanon, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Kehoe and himself, Senator Holsman introduced to the Senate, Tom Atkins, John Schulte, Lee Holt, Misty Blankenship, Chad Pica, Flora Herndon, Aungela Goodman, Shondra Cook, Debra Lawrence, Alicia Rodgers, Andrew Blank, Ashley Herndon, Bawanna Rosser, Breana Kennedy, Breanna Brown, Chindavanh Vongphrachanh, Dan Burns, Janaya Kennedy, Kip Edwards, Kristen Goodman, Lewis White, Linda Niekamp, Meisha Wright, Melvyn Smith, Michelle Bell, Robert Turnbow, Sharon Harris, Shelby Lawrence, Theresa Rodebaugh, Wesley Howard and Aaron Ware.

Senator Kehoe introduced to the Senate, Dr. Kevin Rome, Lincoln University.

Senator Kehoe introduced to the Senate, Julia Potter and Adam Bieri, Sarah Bryant, Sidney Draffen, Claire Kuhlman and Sophie Brant, California High School DECA; and Trisha Bailey, Tipton DECA.

Senator Brown introduced to the Senate, Matthew Hudson and Tiffany Brunner, Springfield.

Senator Brown introduced to the Senate, representatives from the Waynesville Career Center.

Senator Emery introduced to the Senate, Scott Nolting, Lorraine Potter and Steven Shields; and Dylan Maberry, Chase McKibben, Jesse Compton, Nathan McConnell, Olivia Fanning, Nastassgia Kirwood, Kaily Reinert, Isaac Oliphant and Kevin Rodriguez, Lamar Career and Technical Center.

Senator Emery introduced to the Senate, Andy Hoag, Clinton.

Senator Emery introduced to the Senate, Jeanette Miller, Christine Rutherford and Jason Dieckhoff, Cass Career Technology, Harrisonville.

Senator Dixon introduced to the Senate, David Lee, Springfield.

Senator Onder introduced to the Senate, Craig Ernstmeyer, Sasa Vasiljevic, Lindsay Fuller, Allison Patton, Brianna Birk, Lauren Bower, Iuli Demien, Amanda Ernstmeyer, Ashley Ernstmeyer, Alli Gueck, Jordyn Klein, Savannah Kluesner, Mary Kuntz, Sarah Malterer, Emily Skerston, Katie Umback and Tori Vogt, 2015 Class 2 State Champion St. Charles Lutheran High Volleyball team.

Senator Cunningham introduced to the Senate, Annette Dupree, Valerie Thompson, Nicki Percy & Nala, Theresa Clement, Lisa Keeler and Shelly Jones, Marshfield.

Senator Cunningham introduced to the Senate, Mayor Kim Wehmer and Beverly Hicks, Willow Springs.

Senator Kehoe introduced to the Senate, Travis Plume, Stacy Buschman, Brandon Christian, Rylie Miller, Maegan Cain, Jennifer Copas, Tekoah Sage, Mariah Forck, Stephanie Grant, Thomas Coots, Emily Hoerchler, Emily Rackers and Rachel Hasty, Nichols Career Center, Jefferson City.

Senator Parson introduced to the Senate, coaches and members of the 2015 Class 1 state champion Hermitage and Wheatland High School Boys Cross Country team.

On behalf of Senator Holsman and herself, Senator Curls introduced to the Senate, Councilman Jermaine Reed, Kansas City.

On behalf of Senator Hegeman, the President introduced to the Senate, Mary Hinde, St. Joseph; Jim Blackford, Maryville; and former State Representative Phil Tate, Gallatin.

Senator Cunningham introduced to the Senate, Presiding Commissioner Zach Williams, Wright County; and Tammy Williams, Norwood.

Senator Cunningham introduced to the Senate, Tom Stehn, West Plains.

Senator Cunningham introduced to the Senate, Jon Wilson, Gainesville.

Senator Walsh introduced to the Senate, Tiffany Grant, Florissant; and Sandra Drezek.

Senator Cunningham introduced to the Senate, Advisor Mickey Plummer, Steven Hull, Mark Lawrence, Stephen Brooks, Lane Jones, Natalie Holcomb and Zac Hignight, Seymour FFA.

Senator Schupp introduced to the Senate, her husband, Mark Schupp.

Senator Sater introduced to the Senate, Commissioner Cherry Warren, Cassville.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIRST DAY– THURSDAY, FEBRUARY 11, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp
SB 1030-Schupp
SB 1031-Sater
SB 1032-Wieland
SB 1033-Pearce

SB 1034-Romine
SB 1035-Romine
SB 1036-Keaveny
SB 1037-Schaefer
SB 1038-Nasheed

SB 1039-Silvey
SB 1040-Kraus
SB 1041-Schatz and Schaaf
SB 1042-Holsman
SB 1043-Wieland

SB 1044-Wasson
SB 1045-Schaefer
SB 1046-Schaefer
SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878
HCS for HB 1562
HCS for HB 1658
HB 1594-Crawford

HB 1619-McCaherty
HB 1478-Entlicher
HB 1668-Gosen
HB 1733-Davis

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)
SB 677-Sater
SB 711-Brown
SB 639-Riddle

SCS for SBs 620 & 582-Romine
SCS for SB 703-Munzlinger
SB 664-Parson

SENATE BILLS FOR PERFECTION

1. SB 621-Romine
2. SB 581-Schaaf
3. SB 607-Sater
4. SB 619-Wallingford
5. SB 644-Onder, with SCS
6. SB 682-Cunningham and Romine
7. SB 704-Munzlinger, with SCS
8. SB 838-Silvey, et al, with SCS
9. SB 783-Onder
10. SB 640-Schatz
11. SB 656-Munzlinger
12. SB 732-Munzlinger
13. SB 641-Schatz
14. SB 706-Dixon
15. SB 794-Wallingford, with SCS
16. SB 799-Kraus

17. SB 875-Schaefer
18. SB 573-Schmitt
19. SB 919-Schmitt, with SCS
20. SB 879-Brown
21. SB 665-Parson
22. SB 835-Wasson
23. SBs 865 & 866-Sater, with SCS
24. SB 700-Schatz
25. SB 823-Kraus, with SCS
26. SB 814-Wallingford, et al, with SCS
27. SB 612-Cunningham
28. SBs 688 & 854-Romine, with SCS
29. SB 802-Sater
30. SB 804-Onder, with SCS
31. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS (Onder)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)
SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)
SB 847-Emery and Richard, with SS, SA 1
& SA 1 to SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 11, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will declare that your steadfastness is established forever; your faithfulness is as firm as the heavens.” (Psalm 89:2)

Loving Father on this approaching Valentine’s Day weekend we are mindful of You and think of the love of our lives. We are convinced that Your love is a privilege given to us and especially seen reflected through the love we have in such special relationships to which we have made our commitment. For which we are most thankful and sing Your praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 1425, regarding Steve Whitworth, which was adopted.

Senator Kehoe offered Senate Resolution No. 1426, regarding Mitchell Moon, Moniteau County, which was adopted.

Senator Onder offered Senate Resolution No. 1427, regarding Delaney Schmidt, Saint Charles County, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1428, regarding Holly Hatfield, Adair County, which was adopted.

Senator Wallingford offered Senate Resolution No. 1429, regarding Maria Calvert, Bollinger County, which was adopted.

Senator Schatz offered Senate Resolution No. 1430, regarding Hannah Smith, Franklin County, which was adopted.

Senator Dixon assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1047—By Riddle.

An Act to repeal section 72.150, RSMo, and to enact in lieu thereof one new section relating to the consolidation of certain cities, towns, or villages.

SB 1048—By Riddle.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the Missouri commission for the deaf and hard of hearing.

SB 1049—By Schupp, Walsh and Holsman.

An Act to amend chapter 285, RSMo, by adding thereto eight new sections relating to leave from employment.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 46**, begs leave to report that it has examined the same and finds that the concurrent resolution has been duly enrolled and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 608**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Richard assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 608** to the Committee on Governmental Accountability and Fiscal Oversight.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **SCR 46**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was so read by the Secretary and signed by the President Pro Tem.

Senator Dixon assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 621** be taken up for perfection, which motion prevailed.

Senator Romine offered **SS** for **SB 621**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 621

An Act to repeal sections 208.670, 334.108, 335.175, and 376.1900, RSMo, and to enact in lieu thereof twelve new sections relating to telehealth, with an emergency clause for a certain section.

Senator Romine moved that **SS** for **SB 621** be adopted.

Senator Riddle assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 621, Page 2, Section 191.1145, Lines 15-21, by striking all of said lines and inserting in lieu thereof the following:

“use of asynchronous store-and-forward technology.”;

and

Further amend said bill and section, page 3, line 3, by inserting after the word “in” the following: **“subsection 3 of”**; and

Further amend said bill and section, page 4, line 1 of said page, by inserting after all of said line the following:

“7. Nothing in this section shall be construed to alter any collaborative practice requirement as provided in chapters 334 and 335.”; and

Further amend said bill, section 208.670, page 6, lines 27-28 of said page, by striking all of the underlined words and inserting in lieu thereof the following: **“the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology for orthopedics, dermatology, ophthalmology and optometry, in cases of diabetic retinopathy, burn**

and wound care, dental services which require a diagnosis, and maternal-fetal medicine ultrasounds.”; and

Further amend said bill, page 18, section 334.108, line 6 of said page, by inserting after the word “physician” the following: “**, or his or her delegate, on-call physician, or advanced practice registered nurse,”**; and further amend line 8, by inserting after the word “a” the following: “**previously established and ongoing**”; and

Further amend said bill, section 376.1900, page 21, lines 5-8 of said page, by striking all of said lines and inserting in lieu thereof the following: “**distant site.**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 621, Page 1, Section 191.1145, Line 6, by striking the words “to 191.1148” and inserting in lieu thereof the following: “**and 191.1146**”; and

Further amend said bill, pages 5-6, section 191.1148, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SS** for **SB 621**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SS** for **SB 621**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 581** be taken up for perfection, which motion prevailed.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 581, Page 1, Section A, Line 2, by inserting after all of said line the following:

“191.875. 1. This section shall be known as the “Health Care Cost Reduction and Transparency Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “DRG”, diagnosis related group;

(3) “Estimate of cost”, an estimate based on the information entered and assumptions about typical utilization and costs for health care services. Such estimates of cost shall encompass only those services within the direct control of the health care provider and shall include the following:

(a) The amount that will be charged to a patient for the health services if all charges are paid in full without a public or private third party paying for any portion of the charges;

(b) The average negotiated settlement on the amount that will be charged to a patient required to be provided in paragraph (a) of this subdivision;

(c) The amount of any MO HealthNet reimbursement for the health care services, including claims

and pro rata supplemental payments, if known;

(d) The amount of any Medicare reimbursement for the medical services, if known; and

(e) The amount of any insurance copayments for the health benefit plan of the patient, if known;

(4) “Health care provider”, any ambulatory surgical center, assistant physician, chiropractor, clinical psychologist, dentist, hospital, long-term care facility, nurse anesthetist, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, registered nurse, or other licensed health care facility or professional providing health care services in this state;

(5) “Health carrier”, an entity as such term is defined under section 376.1350;

(6) “Hospital”, as such term is defined under section 197.020;

(7) “Insurance costs”, an estimate of cost of covered services provided by a health carrier based on a specific insured’s coverage and health care services to be provided. Such insurance cost shall include:

(a) The average negotiated reimbursement amount to any health care provider;

(b) Any deductibles, copayments, or coinsurance amounts, including those whose disclosure is mandated under section 376.446; and

(c) Any amounts not covered under the health benefit plan;

(8) “Public or private third party”, a state government, the federal government, employer, health carrier, third-party administrator, or managed care organization.

3. On or after July 1, 2017, any patient or consumer of health care services who makes a written request for an estimate of the cost of health care services from a health care provider shall be provided such estimate no later than five business days after receiving such request, except when the requested information is posted on the department’s website under subsection 8 of this section. Any patient or consumer of health care services who makes a written request for the insurance costs from such patient’s or consumer’s health carrier shall be provided such insurance costs no later than five business days after receiving such request. The provisions of this subsection shall not apply to emergency health care services.

4. Health care providers, and the department under subsection 8 of this section, shall include with any estimate of costs the following: “Your estimated cost is based on the information entered and assumptions about typical utilization and costs. The actual amount billed to you may be different from the estimate of costs provided to you. Many factors affect the actual bill you will receive, and this estimate of costs does not account for all of them. Additionally, the estimate of costs is not a guarantee of insurance coverage. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. Please check with your insurance company to receive an estimate of the amount you will owe under your plan or if you need help understanding your benefits for the service chosen.”.

5. Health carriers shall include with any insurance costs the following: “Your insurance costs are based on the information entered and assumptions about typical utilization and costs. The actual amount of insurance costs and the amount billed to you may be different from the insurance costs provided to you. Many factors affect the actual insurance costs, and the insurance costs provided do

not account for all of them. Additionally, the insurance costs provided are limited to the specific information provided and are not a guarantee of insurance coverage for additional services. You will be billed at the health care provider's charge for any service provided to you that is not a covered benefit under your plan. You may contact us if you need further assistance in understanding your benefits for the service chosen.”.

6. Each health care provider shall also make available the percentage or amount of any discounts for cash payment of any charges incurred through the health care provider's website or by making it available at the health care provider's location.

7. Nothing in this section shall be construed as violating any health care provider contract provisions with a health carrier that prohibit disclosure of the health care provider's fee schedule with a health carrier to third parties.

8. The department shall make available to the public on its website the most current price information it receives from hospitals under subsections 9 and 10 of this section. The department shall provide this information in a manner that is easily understood by the public and meets the following minimum requirements:

(1) Information for each participating hospital shall be listed separately and hospitals shall be listed in groups by category as determined by the department in rules adopted under this section; and

(2) Information for each hospital outpatient department shall be listed separately.

9. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in the manner and format determined by the department, the following information about the one hundred most frequently reported admissions by DRG for inpatients as established by the department:

(1) The amount that will be charged to a patient for each DRG if all charges are paid in full without a public or private third party paying for any portion of the charges;

(2) The average negotiated settlement on the amount that will be charged to a patient required to be provided in subdivision (1) of this subsection;

(3) The amount of MO HealthNet reimbursement for each DRG, including claims and pro rata supplemental payments; and

(4) The amount of Medicare reimbursement for each DRG.

A hospital shall not report or be required to report the information required by this subsection for any of the one hundred most frequently reported admissions where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law.

10. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in a manner and format determined by the department, information on the total costs for the twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in hospital outpatient settings. Participating hospitals shall report this information in the same manner as required by subsection

9 of this section, provided that hospitals shall not report or be required to report the information required by this subsection where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of HIPAA or other federal law.

11. A hospital shall provide the information specified under subsections 9 and 10 of this section to the department. A hospital which does so shall not be required to provide that information pursuant to subsection 3 of this section.

12. Any data disclosed to the department by a hospital under subsections 9 and 10 of this section shall be the sole property of the hospital that submitted the data. Any data or product derived from the data disclosed under subsections 9 and 10 of this section, including a consolidation or analysis of the data, shall be the sole property of the state. Any proprietary information received by the department shall be a proprietary interest and may be closed under the provisions of subdivision (15) of section 610.021. The department shall not allow information it receives or discloses under subsections 9 and 10 of this section to be used by any person or entity for commercial purposes.

13. The department shall promulgate rules to implement the provisions of this section. The rules relating to subsections 8 to 12 of this section shall include all of the following:

(1) The one hundred most frequently reported DRGs for inpatients for which participating hospitals will provide the data required under subsection 9 of this section;

(2) Specific categories by which hospitals shall be grouped for the purpose of disclosing this information to the public on the department's website; and

(3) The twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in a hospital outpatient setting required under subsection 10 of this section.

Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaaf, **SB 581**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 607** be taken up for perfection, which motion prevailed.

On motion of Senator Sater, **SB 607** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 619** be taken up for perfection, which motion prevailed.

Senator Onder assumed the Chair.

At the request of Senator Wallingford, **SB 619** was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 677, introduced by Senator Sater, entitled:

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

Was taken up.

On motion of Senator Sater, **SB 677** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Walsh
Wasson	Wieland—30					

NAYS—Senator Wallingford—1

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 711, introduced by Senator Brown, entitled:

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

Was taken up.

On motion of Senator Brown, **SB 711** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 639, introduced by Senator Riddle, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

Was taken up.

On motion of Senator Riddle, **SB 639** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SBs 620** and **582**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 620 and 582

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to career and technical education.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SBs 620** and **582** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 703**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 703

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 703** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 664, introduced by Senator Parson, entitled:

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration reports for farm corporations.

Was taken up.

Under the provisions of Senate Rule 91, Senator Hegeman was excused from voting on the third reading of the bill.

On motion of Senator Parson, **SB 664** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Pearce—1

Excused from voting—Senator Hegeman—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1050—By Schaaf.

An Act to repeal sections 167.765, 167.775, and 192.737, RSMo, and to enact in lieu thereof three new sections relating to brain injuries sustained by youth athletes.

SB 1051—By Sater.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the foster care bill of rights.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 63**.

HOUSE CONCURRENT RESOLUTION NO. 63

WHEREAS, on January 5, 2016, President of the United States, Barack H. Obama, by executive action, unilaterally amended a number of laws duly enacted by the elected representatives of the American people, the United States Congress; and

WHEREAS, the separation of powers was established to prevent the concentration of power and authority and to provide a series of checks and balances between the branches of government; and

WHEREAS, the executive overreach by the actions of President Barack H. Obama clearly and intentionally subverts the legislative process and violates the constitutionally established separation of powers; and

WHEREAS, the Second Amendment of the United States Constitution clearly states:

"...the right of the people to keep and bear arms, shall not be infringed."; and

WHEREAS, President Barack H. Obama's Executive Action will unquestionably infringe upon American citizens' constitutionally protected right to firearm ownership; and

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress to reject and revoke President Barack H. Obama's Executive Action on firearm control, and hereby stand with Congress in fighting executive overreach; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution to the Majority Leader and Minority Leader of the United States Senate; the Majority Leader and Minority Leader of the United States House of Representatives; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1563**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto five new sections relating to transportation network company insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1837**, entitled:

An Act to repeal section 217.360 and section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof two new sections relating to a prohibition on certain telecommunications items being possessed in correctional facilities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1681**, entitled:

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to the regulation of proprietary schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 54**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article III of the Constitution of Missouri, and adopting one new section relating to a bond issuance for the veterans home bond fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1795**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility data verification for public assistance programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1568**, entitled:

An Act to amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1576**, entitled:

An Act to repeal sections 8.016, 8.051, 8.110, 8.172, and 8.177, RSMo, and to enact in lieu thereof six new sections relating to the commission on capitol security infrastructure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1577**, entitled:

An Act to repeal section 8.177, RSMo, and to enact in lieu thereof two new sections relating to the commission on capitol security infrastructure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1862**, entitled:

An Act to repeal sections 534.350, 534.360, 535.030, 535.110, 535.160, and 535.300, RSMo, and to enact in lieu thereof five new sections relating to landlords and tenants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1763**, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to workers' compensation large deductible policies, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1708**, entitled:

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 607**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 2166**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1983**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 2203**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 2226**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Onder assumed the Chair.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1431, regarding Sage Eichenburch, Cooper County, which was adopted.

Senator Wallingford offered Senate Resolution No. 1432, regarding Jamaica Smith, Scott County, which was adopted.

Senator Richard offered Senate Resolution No. 1433, regarding Sarah Townley, Dade County, which was adopted.

Senator Riddle offered Senate Resolution No. 1434, regarding Marlena Long, Monroe County, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, Kylie Williams.

Senator Hegeman introduced to the Senate, Ashley Gadberry, Winston High School; and Sydney Ireland, Mound City R2 School.

Senator Riddle introduced to the Senate, Shade Bullock, Laurie.

Senator Romine introduced to the Senate, Vivian Vaughn, Ste. Genevieve.

Senator Schaefer introduced to the Senate, Ivory Shikles, Boonville.

Senator Wallingford introduced to the Senate, Carrie Keen, Benton.

Senator Cunningham introduced to the Senate, Linsey Brook, Willow Springs.

Senator Cunningham introduced to the Senate, Madison Harrison, West Plains.

On behalf of Senator Pearce and himself, Senator Kraus introduced to the Senate, Abbie Clark, Chillicothe.

On behalf of Senator Holsman and himself, Senator Kraus introduced to the Senate, Ashley Arthur, Grandview.

Senator Holsman introduced to the Senate, Randy Wisthoff, Debra Ryder and Julie Neemeyer, Kansas City.

Senator Emery introduced to the Senate, Jakob Erdmann, Henry County.

On motion of Senate Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 15, 2016.

SENATE CALENDAR

TWENTY-SECOND DAY—MONDAY, FEBRUARY 15, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp

SB 1030-Schupp

SB 1031-Sater

SB 1032-Wieland

SB 1033-Pearce

SB 1034-Romine

SB 1035-Romine

SB 1036-Keaveny

SB 1037-Schaefer

SB 1038-Nasheed

SB 1039-Silvey	SB 1046-Schaefer
SB 1040-Kraus	SB 1047-Riddle
SB 1041-Schatz and Schaaf	SB 1048-Riddle
SB 1042-Holsman	SB 1049-Schupp, et al
SB 1043-Wieland	SB 1050-Schaaf
SB 1044-Wasson	SB 1051-Sater
SB 1045-Schaefer	SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1681-Haahr
HCS for HB 1562	HCS for HJR 54
HCS for HB 1658	HB 1795-Haefner
HB 1594-Crawford	HB 1568-Lynch
HB 1619-McCaherty	HB 1576-Higdon
HB 1478-Entlicher	HB 1577-Higdon
HB 1668-Gosen	HCS for HB 1862
HB 1733-Davis	HB 1763-Gosen
HB 1563-Gosen	HB 1708-Solon
HB 1837-Fitzwater	

THIRD READING OF SENATE BILLS

SB 579-Schaaf, et al (In Fiscal Oversight)	SB 607-Sater
SS for SB 608-Sater (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

1. SB 644-Onder, with SCS	11. SB 794-Wallingford, with SCS
2. SB 682-Cunningham and Romine	12. SB 799-Kraus
3. SB 704-Munzlinger, with SCS	13. SB 875-Schaefer
4. SB 838-Silvey, et al, with SCS	14. SB 573-Schmitt
5. SB 783-Onder	15. SB 919-Schmitt, with SCS
6. SB 640-Schatz	16. SB 879-Brown
7. SB 656-Munzlinger	17. SB 665-Parson
8. SB 732-Munzlinger	18. SB 835-Wasson
9. SB 641-Schatz	19. SBs 865 & 866-Sater, with SCS
10. SB 706-Dixon	20. SB 700-Schatz

21. SB 823-Kraus, with SCS
22. SB 814-Wallingford, et al, with SCS
23. SB 612-Cunningham
24. SBs 688 & 854-Romine, with SCS

25. SB 802-Sater
26. SB 804-Onder, with SCS
27. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)
HB 1979-Rowden, with SCS (Onder)
HB 2166-Alferman, with SCS (Onder)

HB 1983-Dogan, with SCS
HB 2203-Barnes, with SCS (Onder)
HB 2226-Barnes (Silvey)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)
SB 619-Wallingford
SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)
SB 847-Emery and Richard, with SS, SA 1
& SA 1 to SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

RESOLUTIONS

To be Referred

HCR 63-Taylor

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SECOND DAY—MONDAY, FEBRUARY 15, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Determine that the thing can be done and shall be done, and then we shall find the way.” (Abraham Lincoln)

We are thankful for our safe travel this day and look forward to the week and work ahead of us. We know there are increasing challenges facing us, so we pray for wisdom to determine what we should be about and what must be done. And we pray that You will help us find ways to work together to get those priorities done. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 11, 2016 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Holsman Richard—2

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe announced photographers from KRCG-TV and St. Louis Public Radio were given

permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1435, regarding Eagle Scout Justin Sperry, Peculiar, which was adopted.

Senator Pearce offered Senate Resolution No. 1436, regarding Shea Fitzgerald, Johnson County, which was adopted.

Senator Pearce offered Senate Resolution No. 1437, regarding Corbin Bell, Lafayette County, which was adopted.

Senator Schaaf offered Senate Resolution No. 1438, regarding Katelyn Leape, Platte County, which was adopted.

Senator Schmitt offered Senate Resolution No. 1439, regarding Barretts Elementary School, which was adopted.

Senator Schmitt offered Senate Resolution No. 1440, regarding Michael T. Cibulka, which was adopted.

Senator Schmitt offered Senate Resolution No. 1441, regarding Ted and Katie Lee Collier, which was adopted.

Senator Schmitt offered Senate Resolution No. 1442, regarding James and Martha Durbin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1443, regarding Angie Lolley, which was adopted.

Senator Schmitt offered Senate Resolution No. 1444, regarding Abby Christensen, Kirkwood, which was adopted.

Senator Dixon offered Senate Resolution No. 1445, regarding Eagle Scout Steven Alexander Jett, Springfield, which was adopted.

Senator Libla offered Senate Resolution No. 1446, regarding Captain George E. Ridens, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 1447, regarding the One Hundredth Anniversary of United Hebrew Congregation, Joplin, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1448, regarding Wava McHenry, La Plata, which was adopted.

Senator Schaefer offered the following resolution:

SENATE RESOLUTION NO. 1449

Relating to ride to work day in Missouri.

Whereas, scooters and motorcycles use comparatively less fuel, cause less pollution, and have less harmful impact on our infrastructure; and

Whereas, scooters and motorcycles require only a fraction of space taken by other vehicles to park; and

Whereas, future availability of fossil fuels is uncertain; and

Whereas, the use of fossil fuels continues to damage our health by adding to pollution; and

Whereas, our infrastructure repairs fail to keep pace with its degradation; and

Whereas, scooters and motorcycles, for these reasons, offer a form of daily transportation to be encouraged; and

Whereas, June 20, 2016, has been designated as Ride to Work Day to highlight the positive daily use of scooters and motorcycles:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the third Monday in June of every year as Ride to Work Day in Missouri; and

Be it Further Resolved that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1052—By Pearce.

An Act to repeal section 536.031, RSMo, and to enact in lieu thereof two new sections relating to administrative rules for the regulation of hospitals.

SB 1053—By Pearce.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to marital and family therapy services.

Senator Pearce assumed the Chair.

SB 1054—By Schaefer.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to grant acceptance requirements.

SB 1055—By Riddle.

An Act to repeal section 552.020, RSMo, and to enact in lieu thereof one new section relating to persons committed to the department of mental health due to the lack of mental fitness to stand trial.

SB 1056—By Riddle.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

SB 1057—By Schaaf.

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph.

SB 1058—By Schaaf.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to replacement vaccines.

SB 1059—By Schaaf.

An Act to repeal sections 169.460 and 169.490, RSMo, and to enact in lieu thereof two new sections relating to the public school system of the City of St. Louis.

SB 1060—By Dixon.

An Act to repeal sections 190.241 and 192.737, RSMo, and to enact in lieu thereof two new sections

relating to hospital emergency care.

SB 1061—By Dixon.

An Act to repeal sections 610.026 and 610.100, RSMo, and to enact in lieu thereof two new sections relating to public records.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 579**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SB 579, introduced by Senators Schaaf, Brown and Onder, entitled:

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting, with existing penalty provisions.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SB 579** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman	Richard	Sifton—3
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Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1472**, entitled:

An Act to repeal section 105.669, RSMo, and to enact in lieu thereof one new section relating to public employee retirement plan benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2140**, entitled:

An Act to repeal section 32.087, RSMo, and to enact in lieu thereof two new sections relating to local sales tax on motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1582**, entitled:

An Act to repeal section 143.221, RSMo, and to enact in lieu thereof one new section relating to withholding tax returns.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2104**, entitled:

An Act to repeal sections 311.060 and 311.205, RSMo, and to enact in lieu thereof two new sections relating to liquor control.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1435**, entitled:

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales tax refund claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1593**, entitled:

An Act to repeal section 139.250, RSMo, and to enact in lieu thereof one new section relating to payments due by collectors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1479**, entitled:

An Act to repeal section 115.361, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1584**, entitled:

An Act to repeal section 559.600 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 559.600 as enacted by house bill no. 1550, ninety-fourth general assembly, second regular session, and to enact in lieu thereof one new section relating to private probation services for misdemeanor offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 585**.

Emergency clause adopted.

Bill ordered enrolled.

SENATE BILLS FOR PERFECTION

At the request of Senator Onder, **SB 644**, with **SCS**, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 682** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 682, Page 1, Section 34.030, Line 10, by inserting immediately after the word “website” the following: “**and to each publicly elected official that represents all or part of the county in which the land is to be purchased**”; and further amend said page and section, lines 13-18, by striking all of said lines; and further amend said bill and section, page 2, lines 22-26, by striking all of said lines and inserting in lieu thereof the following: “**notice of the public hearing on its departmental website and to each publicly elected official that represents all or part of the county in which the land is to be purchased at least fourteen calendar days prior to the hearing.**”; and

Further renumber the remaining subdivision accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Cunningham, **SB 682**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 581** and **SS** for **SB 621**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

On behalf of Senators Pearce, Wallingford, Schaefer, Schaaf, Riddle, Kehoe, Onder, Schatz, Richard and himself, Senator Munzlinger introduced to the Senate, Corbin Bell, Higginsville; Maria Calvert, Leopold; Sage Eichenburch, Prairie Home; Shea Fitzgerald, Holden; Holly Hatfield, Kirksville; Katelyn Leape, Camden Point; Marlena Long, Paris; and Mitchell Moon, Tipton; Delaney Schmidt, Defiance; Hannah Smith, Villa Ridge; Jamaica Smith, Sikeston; and Sarah Townley, Golden City.

Senator Onder introduced to the Senate, Abigail Maiden, Jeannette Cruz, Rylee White and Chloe Layton, Wentzville; Alyssa Johnson, Harrisburg; and Alanna Tapley, Elsberry; Cooper Layton and Austin Tapley.

Senator Onder introduced to the Senate, Charles and Robina Williams, St. Charles County; and Avery, Eric and Annika Olson; and Avery, Eric and Annika were made honorary pages.

Senator Kehoe introduced to the Senate, Eric Landwehr and his sons, Nathanael and Zachary, Jefferson City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 16, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1046-Schaefer
SB 1030-Schupp	SB 1047-Riddle
SB 1031-Sater	SB 1048-Riddle
SB 1032-Wieland	SB 1049-Schupp, et al
SB 1033-Pearce	SB 1050-Schaaf
SB 1034-Romine	SB 1051-Sater
SB 1035-Romine	SB 1052-Pearce
SB 1036-Keaveny	SB 1053-Pearce
SB 1037-Schaefer	SB 1054-Schaefer
SB 1038-Nasheed	SB 1055-Riddle
SB 1039-Silvey	SB 1056-Riddle
SB 1040-Kraus	SB 1057-Schaaf
SB 1041-Schatz and Schaaf	SB 1058-Schaaf
SB 1042-Holsman	SB 1059-Schaaf
SB 1043-Wieland	SB 1060-Dixon
SB 1044-Wasson	SB 1061-Dixon
SB 1045-Schaefer	SJR 38-Schaefer

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1681-Haahr
HCS for HB 1562	HCS for HJR 54
HCS for HB 1658	HB 1795-Haefner
HB 1594-Crawford	HB 1568-Lynch
HB 1619-McCaherty	HB 1576-Higdon
HB 1478-Entlicher	HB 1577-Higdon
HB 1668-Gosen	HCS for HB 1862
HB 1733-Davis	HB 1763-Gosen
HB 1563-Gosen	HB 1708-Solon
HB 1837-Fitzwater	HB 1472-Dugger

HCS for HB 2140
HB 1582-Kelley
HB 2104-Alferman
HB 1435-Koenig

HB 1593-Crawford
HB 1479-Entlicher
HCS for HB 1584

THIRD READING OF SENATE BILLS

SS for SB 608-Sater (In Fiscal Oversight)
SB 607-Sater

SB 581-Schaaf
SS for SB 621-Romine

SENATE BILLS FOR PERFECTION

1. SB 704-Munzlinger, with SCS
2. SB 838-Silvey, et al, with SCS
3. SB 783-Onder
4. SB 640-Schatz
5. SB 656-Munzlinger
6. SB 732-Munzlinger
7. SB 641-Schatz
8. SB 706-Dixon
9. SB 794-Wallingford, with SCS
10. SB 799-Kraus
11. SB 875-Schaefer
12. SB 573-Schmitt
13. SB 919-Schmitt, with SCS

14. SB 879-Brown
15. SB 665-Parson
16. SB 835-Wasson
17. SBs 865 & 866-Sater, with SCS
18. SB 700-Schatz
19. SB 823-Kraus, with SCS
20. SB 814-Wallingford, et al, with SCS
21. SB 612-Cunningham
22. SBs 688 & 854-Romine, with SCS
23. SB 802-Sater
24. SB 804-Onder, with SCS
25. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)
HB 1979-Rowden, with SCS (Onder)
HB 2166-Alferman, with SCS (Onder)

HB 1983-Dogan, with SCS (Munzlinger)
HB 2203-Barnes, with SCS (Kehoe)
HB 2226-Barnes (Silvey)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)

SB 619-Wallingford
SB 644-Onder, with SCS

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 847-Emery and Richard, with SS, SA 1

& SA 1 to SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

RESOLUTIONS

To be Referred

SR 1449-Schaefer

HCR 63-Taylor

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 16, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You...will say to the Lord, ‘My refuge and my fortress; my God, in whom I put my trust.’ ” (Psalm 91:2)

Almighty God we do find refuge and strength in You who abides and comforts, who directs and leads us to live as You desire and perform the work You have given us to do. We pray that even when our days are filled with stress and complications we may live under the shadow of Your care and peace, knowing we walk safely toward the goals You have set for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the MissouriNet, KRCG-TV and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 65

Relating to ride to work day in Missouri.

Whereas, scooters and motorcycles use comparatively less fuel, cause less pollution, and have less harmful impact on our infrastructure; and

Whereas, scooters and motorcycles require only a fraction of space taken by other vehicles to park; and

Whereas, future availability of fossil fuels is uncertain; and

Whereas, the use of fossil fuels continues to damage our health by adding to pollution; and

Whereas, our infrastructure repairs fail to keep pace with its degradation; and

Whereas, scooters and motorcycles, for these reasons, offer a form of daily transportation to be encouraged; and

Whereas, June 20, 2016, has been designated as Ride to Work Day to highlight the positive daily use of scooters and motorcycles:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate the third Monday in June of every year as Ride to Work Day in Missouri; and

Be it Further Resolved that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 1062—By Brown.

An Act to repeal section 162.685, RSMo, and to enact in lieu thereof one new section relating to special educational services.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 704**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 704**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 704**

An Act to amend chapter 37, RSMo, by adding thereto two new sections relating to the transparency and accountability of public funds.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 704** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 704**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 704**

An Act to amend chapter 37, RSMo, by adding thereto two new sections relating to the transparency and accountability of public funds.

Senator Munzlinger moved that **SS** for **SCS** for **SB 704** be adopted.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 704, Page 2, Section 37.852, Lines 10-23 of said page, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **SB 704**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 704**, as amended, was declared perfected and ordered printed.

Senator Silvey moved that **SB 838**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 838**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 838

An Act to repeal sections 455.050 and 455.523, RSMo, and to enact in lieu thereof two new sections relating to the transfer of wireless telephone numbers.

Was taken up.

Senator Silvey moved that **SCS** for **SB 838** be adopted.

Senator Silvey offered **SS** for **SCS** for **SB 838**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 838

An Act to repeal sections 455.050 and 455.523, RSMo, and to enact in lieu thereof two new sections relating to the transfer of wireless telephone numbers.

Senator Silvey moved that **SS** for **SCS** for **SB 838** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Silvey, **SS** for **SCS** for **SB 838** was declared perfected and ordered printed.

Senator Onder moved that **SB 783** be taken up for perfection, which motion prevailed.

Senator Kehoe requested unanimous consent of the Senate to allow members of Missouri State Highway Patrol to enter the Chamber with side arms, which request was granted.

Senator Riddle assumed the Chair.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 783, Page 2, Section 153.030, Lines 43-47, by striking all of said lines and inserting in lieu thereof the following:

“5. Notwithstanding any provision of law to the contrary, beginning with the 2017 tax year, a telephone company shall make a one-time election to either be assessed using the methodology for property tax purposes, as provided for pursuant to this section, or be assessed using the methodology for property”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Onder, **SB 783**, as amended, was declared perfected and ordered printed.

Senator Schatz moved that **SB 640** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 640** was declared perfected and ordered printed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1452**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 682**; **SS** for **SCS** for **SB 838**; and **SS** for **SCS** for **SB 704**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Riddle assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SB 607**; **SB 581**; and **SS** for **SB 621** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard referred **HCR 63** and **SR 1449** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Kehoe, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Romine.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1450, regarding Mae Pavelka, West Plains, which was adopted.

Senator Dixon offered Senate Resolution No. 1451, regarding Eagle Scout Joseph Kwoon Choi, Springfield, which was adopted.

Senator Kraus offered Senate Resolution No. 1452, regarding David C. Hacker, Independence, which was adopted.

Senator Kraus offered Senate Resolution No. 1453, regarding David L. Campbell, Bates City, which was adopted.

Senator Kraus offered Senate Resolution No. 1454, regarding Gary L. Swaim, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 1455, regarding Tim Walker, Jackson County, which was adopted.

Senator Kraus offered Senate Resolution No. 1456, regarding Richelle Marie Basgall, Roeland Park, which was adopted.

Senator Schmitt offered Senate Resolution No. 1457, regarding We Rock the Spectrum Kids Gym, Fenton, which was adopted.

Senator Schmitt offered Senate Resolution No. 1458, regarding the Fenton Fire Protection District, which was adopted.

Senator Cunningham offered Senate Resolution No. 1459, regarding Lowery Farm, Lebanon, which was adopted.

Senator Cunningham offered Senate Resolution No. 1460, regarding Rumfelt Farm, Graff, which was adopted.

The Senate observed a moment of silence in memory of Ruby Dehoff.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 847**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 to **SA 1** was again taken up.

Senator Nasheed moved that the above amendment be adopted.

Senator Onder assumed the Chair.

Senator Riddle assumed the Chair.

Senator Onder assumed the Chair.

At the request of Senator Emery, **SS** for **SB 847** was withdrawn, rendering **SA 1** and **SA 1** to **SA 1** moot.

Senator Emery offered **SS No. 2** for **SB 847**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 847

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Senator Emery moved that **SS No. 2** for **SB 847** be adopted.

President Pro Tem Richard assumed the Chair.

Senator Onder assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 847, Page 3, Section 490.715, Line 12, by inserting after all of said line the following:

“6. Upon application of a party, the court shall make a determination whether the plaintiff's recovery is likely to be subrogated to a health insurance plan including any state-sponsored plan. If the plaintiff's recovery will be subrogated, subsection 5 of this section shall not apply.”.

Senator Sifton moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Onder assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

Absent—Senators

Chappelle-Nadal Pearce Schaaf—3

Absent with leave—Senators—None

Vacancies—2

Senator Sifton offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Bill No. 847, Page 1, Line 5, by inserting after the word “subrogated” the following: **“pursuant to federal law”.**

Senator Sifton moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Richard	Riddle	Romine	Sater	Schaefer	Schmitt	Schupp

Sifton Silvey Wallingford Walsh Wasson Wieland—27

Absent—Senators

Chappelle-Nadal Cunningham Pearce Schaaf Schatz—5

Absent with leave—Senators—None

Vacancies—2

Senator Onder assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Curls	Dixon	Emery	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

Absent—Senators

Chappelle-Nadal Cunningham Holsman Schaaf Schatz Schupp—6

Absent with leave—Senators—None

Vacancies—2

President Pro Tem Richard assumed the Chair.

Senator Onder assumed the Chair.

Senator Kraus assumed the Chair.

At the request of Senator Emery, **SB 847**, with **SS No. 2**, **SA 1** and **SA 1 to SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HJR 53**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Kraus assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 847**, with **SS No. 2**, **SA 1** and **SA 1 to SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 to SA 1 was again taken up.

At the request of Senator Sifton, **SA 1 to SA 1** was withdrawn.

Senator Sifton offered **SSA 1** for **SA 1**, entitled:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 847, Page 3, Section 490.715, Line 12, by inserting after all of said line the following:

“6. Upon application of a party, the court shall make a determination whether the plaintiff's recovery is likely to be subrogated pursuant to federal law to a health insurance plan including any state-sponsored plan. If the plaintiff's recovery will be subrogated, subsection 5 of this section shall not apply.”.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Sifton offered **SA 1 to SSA 1** for **SA 1**, entitled:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Bill No. 847, Page 1, Line 1, by striking the words “Line 12”; and further amend line 2, by striking all of said line and inserting in lieu thereof the following: “Lines 10-12, by striking all of said lines and inserting in lieu thereof the following:”.

Senator Sifton moved that the above amendment be adopted.

A quorum was established by the following vote:

Present—Senators

Brown	Cunningham	Curls	Emery	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Pearce	Richard	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—22

Absent—Senators

Chappelle-Nadal	Dixon	Holsman	Onder	Parson	Riddle	Romine
Sater	Schaaf	Schupp—10				

Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

Senator Hegeman assumed the Chair.

At the request of Senator Sifton, **SA 1** to **SSA 1** for **SA 1** was withdrawn.

At the request of Senator Sifton, **SSA 1** for **SA 1** was withdrawn.

At the request of Senator Sifton, **SA 1** was withdrawn.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Bill No. 847, Page 3, Section 490.715, Lines 10-12, by striking all of said lines.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Emery moved that **SS No. 2** for **SB 847**, as amended, be adopted, which motion prevailed.

On motion of Senator Emery, **SS No. 2** for **SB 847**, as amended, was declared perfected and ordered printed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 585**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 783** and **SB 640**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Kristi and Richard Campbell, and their daughter, Landry, Jefferson City; and Landry was made an honorary page.

Senator Kehoe introduced to the Senate, the Physician of the Day, Dr. Donald Potts, Independence.

Senator Kehoe introduced to the Senate, Dr. Afsheen Patel, MD, Jefferson City.

Senator Onder introduced to the Senate, members of the Missouri Chapter of the National Academy of Elder Law Attorneys.

Senator Riddle introduced to the Senate, family members of Missouri State Trooper James M. Bava, his fiancé Rose Sanders; his parents Jim and Alyce; Joshua, Lizzie, Nathan and Ellie Bava; Alyssa and Katie Bava; and Tyler Schneider.

Senator Walsh introduced to the Senate, Monsignor Jack Schuler and Sister Cathy Doherty, SSND, St. Louis County.

Senator Emery introduced to the Senate, Larry Boucher, Harrisonville.

Senator Kehoe introduced to the Senate, Mayor Carrie Tergin, Jefferson City.

Senator Kraus introduced to the Senate, former State Representative Connie Cierpoit, Fran Baker and Sharon Slayton, Lee's Summit.

Senator Kraus introduced to the Senate, Ryan Lefebvre, Toby Cook, Curt Nelson and Dave Webster, Kansas City Royals; and Keith Kirchoff.

On motion of Senator Kehoe, the Senate adjourned until 4:30 p.m., Wednesday, February 17, 2016.

SENATE CALENDAR

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 17, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1047-Riddle
SB 1030-Schupp	SB 1048-Riddle
SB 1031-Sater	SB 1049-Schupp, et al
SB 1032-Wieland	SB 1050-Schaaf
SB 1033-Pearce	SB 1051-Sater
SB 1034-Romine	SB 1052-Pearce
SB 1035-Romine	SB 1053-Pearce
SB 1036-Keaveny	SB 1054-Schaefer
SB 1037-Schaefer	SB 1055-Riddle
SB 1038-Nasheed	SB 1056-Riddle
SB 1039-Silvey	SB 1057-Schaaf
SB 1040-Kraus	SB 1058-Schaaf
SB 1041-Schatz and Schaaf	SB 1059-Schaaf
SB 1042-Holsman	SB 1060-Dixon
SB 1043-Wieland	SB 1061-Dixon
SB 1044-Wasson	SB 1062-Brown
SB 1045-Schaefer	SJR 38-Schaefer
SB 1046-Schaefer	

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1619-McCaherty
HCS for HB 1562	HB 1478-Entlicher
HCS for HB 1658	HB 1668-Gosen
HB 1594-Crawford	HB 1733-Davis

HB 1563-Gosen
HB 1837-Fitzwater
HB 1681-Haahr
HCS for HJR 54
HB 1795-Haefner
HB 1568-Lynch
HB 1576-Higdon
HB 1577-Higdon
HCS for HB 1862
HB 1763-Gosen

HB 1708-Solon
HB 1472-Dugger
HCS for HB 2140
HB 1582-Kelley
HB 2104-Alferman
HB 1435-Koenig
HB 1593-Crawford
HB 1479-Entlicher
HCS for HB 1584

THIRD READING OF SENATE BILLS

SS for SB 608-Sater (In Fiscal Oversight)
SB 607-Sater (In Fiscal Oversight)
SB 581-Schaaf (In Fiscal Oversight)
SS for SB 621-Romine (In Fiscal Oversight)
SB 682-Cunningham and Romine

SS for SCS for SB 838-Silvey
SS for SCS for SB 704-Munzlinger
SB 783-Onder
SB 640-Schatz

SENATE BILLS FOR PERFECTION

1. SB 656-Munzlinger
2. SB 732-Munzlinger
3. SB 641-Schatz
4. SB 706-Dixon
5. SB 794-Wallingford, with SCS
6. SB 799-Kraus
7. SB 875-Schaefer
8. SB 573-Schmitt
9. SB 919-Schmitt, with SCS
10. SB 879-Brown
11. SB 665-Parson

12. SB 835-Wasson
13. SBs 865 & 866-Sater, with SCS
14. SB 700-Schatz
15. SB 823-Kraus, with SCS
16. SB 814-Wallingford, et al, with SCS
17. SB 612-Cunningham
18. SBs 688 & 854-Romine, with SCS
19. SB 802-Sater
20. SB 804-Onder, with SCS
21. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)
HB 1979-Rowden, with SCS (Onder)
HB 2166-Alferman, with SCS (Onder)
HB 1983-Dogan, with SCS (Munzlinger)
HB 2203-Barnes, with SCS (Kehoe)

HB 2226-Barnes (Silvey)
HB 1452-Hoskins, with SCS (Pearce)
HB 1631-Alferman, with SCS
HJR 53-Dugger (Kraus)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)
SB 619-Wallingford

SB 644-Onder, with SCS
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

RESOLUTIONS

To be Referred

SCR 65-Schaefer

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 17, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Emery offered the following prayer:

“I call upon you, for you will answer me, O God; incline your ear to me, hear my words.” (Psalm 17:1)

Gracious Lord, it is exciting to know You hear our every prayer, even those we have trouble formulating into words. We are most thankful to You that we know we can call upon You at all times, even as we sit here at our desk, and You will answer us according to Your wisdom and desires for us. So let us take time throughout our day to think of You and call upon You. In the Lord Jesus Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouriiret and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 1461, regarding Piper-Danay Smith, Grandview, which was adopted.

Senator Holsman offered Senate Resolution No. 1462, regarding Helen Logan Hunter, Grandview, which was adopted.

Senator Schaaf offered Senate Resolution No. 1463, regarding Linda Bremer, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1464, regarding Brianna Duda, Saint Louis, which was adopted.

Senator Libla offered Senate Resolution No. 1465, regarding Joe and Brenda Baker, Dexter, which was adopted.

Senator Pearce offered Senate Resolution No. 1466, regarding Twister Sports, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1467, regarding Stephen Cook, Warrensburg, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1468, regarding the 2015 Class 1 State Champion La Plata High School Boys' Bulldog Golf team, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1469, regarding Cynthia Ann (Cindy) Moore, La Plata, which was adopted.

Senator Hegeman offered Senate Resolution No. 1470, regarding Eagle Scout Matthew C. Gager, Smithville, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 1063—By Sater.

An Act to repeal section 197.168, RSMo, and to enact in lieu thereof one new section relating to pneumococcal vaccinations.

SB 1064—By Brown.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to the requirement that the department of natural resources submit a budget analysis to certain committees in the general assembly.

SB 1065—By Curls.

An Act to repeal sections 104.081 and 104.1091, RSMo, and to enact in lieu thereof two new sections relating to the retirement age of the uniformed members of the highway patrol.

SB 1066—By Curls.

An Act to amend chapter 84, RSMo, by adding thereto one new section relating to the Kansas City police department.

SB 1067—By Wallingford.

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to the taxation of

unauthorized substances.

SB 1068—By Holsman and Schupp.

An Act to repeal section 115.436, RSMo, and to enact in lieu thereof one new section relating to the use of voting machines by blind or visually impaired voters.

SB 1069—By Holsman.

An Act to repeal section 302.137, RSMo, and to enact in lieu thereof one new section relating to the motorcycle safety trust fund.

SJR 39—By Onder.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the protection of certain religious organizations and individuals from being penalized by the state because of their sincere religious beliefs or practices concerning marriage between two persons of the same sex.

SJR 40—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article XIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the citizens' commission on compensation for elected officials.

REFERRALS

President Pro Tem Richard referred **SB 640**; **SB 783**; **HB 1631**, with **SCS**; and **HJR 53** to the Committee on Governmental Accountability and Fiscal Oversight.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 65—Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SB 585**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

At the request of Senator Onder, **HB 1575**, with **SCA 1** was placed on the Informal Calendar.

HB 1979, introduced by Representative Rowden, with **SCS**, entitled:

An Act to repeal section 105.456, as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

Was taken up by Senator Onder.

SCS for **HB 1979**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1979

An Act to repeal section 105.456, as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

Was taken up.

Senator Onder moved that **SCS** for **HB 1979** be adopted.

Senator Onder offered **SS** for **SCS** for **HB 1979**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1979

An Act to repeal section 105.456, as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

Senator Onder moved that **SS** for **SCS** for **HB 1979** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Line 16 of said page, by striking: "one year" and inserting in lieu thereof the following: "**six months**"; and further amend line 23, by striking: "one year" and inserting in lieu thereof the following: "**six months**".

Senator Keaveny moved that the above amendment be adopted.

Senator Munzlinger offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Lines 16-18 of said page, by striking said lines and inserting in lieu thereof the following: "**lobbyists as defined in section 105.470 until six months after the general assembly has adjourned sine die.**"; and further amend line 23, by striking all of said line and inserting in lieu thereof the following: "**105.470 until six months after the general assembly has adjourned sine die.**".

Senator Munzlinger moved that the above substitute amendment be adopted.

Senator Kehoe offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 1, Lines 3-5 of said page, by striking said lines and inserting in lieu thereof the following: "thereof the following: "**lobbyist as defined in section 105.470**

until after the expiration of any term of office for which such person was elected.”; and further amend lines 7-9, by striking all of said lines and inserting in lieu thereof the following: “inserting in lieu thereof the following: **“105.470 until after the vacation of such office.”**”.

Senator Kehoe moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 1 to SSA 1** for **SA 1**. He was joined in his request by Senators Schupp, Kraus, Emery and Keaveny.

At the request of Senator Onder, **HB 1979**, with **SCS, SS** for **SCS, SA 1, SSA 1** for **SA 1** and **SA 1 to SSA 1** for **SA 1** (pending) was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SB 847**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SB 585**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1471, regarding Don Boschert, Jr., which was adopted.

Senator Onder offered Senate Resolution No. 1472, regarding Donna Gastreich, which was adopted.

Senator Onder offered Senate Resolution No. 1473, regarding Merle Schneider, which was adopted.

Senator Onder offered Senate Resolution No. 1474, regarding Randy Schilling, which was adopted.

Senator Onder offered Senate Resolution No. 1475, regarding Dan Foust, Sr., which was adopted.

INTRODUCTIONS OF GUESTS

Senator Walsh introduced to the Senate, her granddaughter, Isabel Maureen Baca Walsh.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 18, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1031-Sater	SB 1052-Pearce
SB 1032-Wieland	SB 1053-Pearce
SB 1033-Pearce	SB 1054-Schaefer
SB 1034-Romine	SB 1055-Riddle
SB 1035-Romine	SB 1056-Riddle
SB 1036-Keaveny	SB 1057-Schaaf
SB 1037-Schaefer	SB 1058-Schaaf
SB 1038-Nasheed	SB 1059-Schaaf
SB 1039-Silvey	SB 1060-Dixon
SB 1040-Kraus	SB 1061-Dixon
SB 1041-Schatz and Schaaf	SB 1062-Brown
SB 1042-Holsman	SB 1063-Sater
SB 1043-Wieland	SB 1064-Brown
SB 1044-Wasson	SB 1065-Curls
SB 1045-Schaefer	SB 1066-Curls
SB 1046-Schaefer	SB 1067-Wallingford
SB 1047-Riddle	SB 1068-Holsman and Schupp
SB 1048-Riddle	SB 1069-Holsman
SB 1049-Schupp, et al	SJR 38-Schaefer
SB 1050-Schaaf	SJR 39-Onder
SB 1051-Sater	SJR 40-Schaaf

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878	HB 1576-Higdon
HCS for HB 1562	HB 1577-Higdon
HCS for HB 1658	HCS for HB 1862
HB 1594-Crawford	HB 1763-Gosen
HB 1619-McCaherty	HB 1708-Solon
HB 1478-Entlicher	HB 1472-Dugger
HB 1668-Gosen	HCS for HB 2140
HB 1733-Davis	HB 1582-Kelley
HB 1563-Gosen	HB 2104-Alferman
HB 1837-Fitzwater	HB 1435-Koenig
HB 1681-Haahr	HB 1593-Crawford
HCS for HJR 54	HB 1479-Entlicher
HB 1795-Haefner	HCS for HB 1584
HB 1568-Lynch	

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SS for SB 608-Sater (In Fiscal Oversight) | 6. SS for SCS for SB 838-Silvey |
| 2. SB 607-Sater (In Fiscal Oversight) | 7. SS for SCS for SB 704-Munzlinger |
| 3. SB 581-Schaaf (In Fiscal Oversight) | 8. SB 783-Onder (In Fiscal Oversight) |
| 4. SS for SB 621-Romine (In Fiscal Oversight) | 9. SB 640-Schatz (In Fiscal Oversight) |
| 5. SB 682-Cunningham and Romine | 10. SS#2 for SB 847-Emery |

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|---|
| 1. SB 656-Munzlinger | 12. SB 835-Wasson |
| 2. SB 732-Munzlinger | 13. SBs 865 & 866-Sater, with SCS |
| 3. SB 641-Schatz | 14. SB 700-Schatz |
| 4. SB 706-Dixon | 15. SB 823-Kraus, with SCS |
| 5. SB 794-Wallingford, with SCS | 16. SB 814-Wallingford, et al, with SCS |
| 6. SB 799-Kraus | 17. SB 612-Cunningham |
| 7. SB 875-Schaefer | 18. SBs 688 & 854-Romine, with SCS |
| 8. SB 573-Schmitt | 19. SB 802-Sater |
| 9. SB 919-Schmitt, with SCS | 20. SB 804-Onder, with SCS |
| 10. SB 879-Brown | 21. SB 623-Libla |
| 11. SB 665-Parson | |

HOUSE BILLS ON THIRD READING

- | | |
|--------------------------------------|---|
| HB 2166-Alferman, with SCS (Onder) | HB 1452-Hoskins, with SCS (Pearce) |
| HB 1983-Dogan, with SCS (Munzlinger) | HB 1631-Alferman, with SCS (Kraus) |
| HB 2203-Barnes, with SCS (Kehoe) | (In Fiscal Oversight) |
| HB 2226-Barnes (Silvey) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS, SA 2 & point of order (pending) | SB 644-Onder, with SCS |
| SB 619-Wallingford | SB 816-Wieland, et al |
| | SB 825-Munzlinger, with SA 1 (pending) |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 1979-Rowden, with SCS, SS for SCS, SA 1,
SSA 1 for SA 1 & SA 1 to SSA 1
for SA 1 (pending) (Onder)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 18, 2016

The Senate met pursuant to adjournment.

Senator Silvey in the Chair.

Reverend Carl Gauck offered the following prayer:

“Show your good life that your works are done with gentleness born of wisdom.” (James 3:13b)

Heavenly Father as we complete our work this day, may it be done with wisdom and caring. And may our weekend be filled with efforts that see the neighbor and by our words of encouragement show our willingness to help, and may they know that gentle wisdom and helping hand began and continues in our relationship with You. Let our witness ever be expressed in a quiet and encouraging manner. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KOMU TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1476, regarding Eagle Scout Michael Robert Boyer, Festus, which was adopted.

SECOND READING OF SENATE BILLS

The following Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SJR 38—Seniors, Families and Children.

SJR 39—Seniors, Families and Children.

SJR 40—Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SB 608**, begs leave to report that it has considered the same and recommends that the bill do pass.

RESOLUTIONS

Senator Richard, joined by the entire membership, offered the following resolution:

SENATE RESOLUTION NO. 1477

Whereas, the members of the Missouri Senate are profoundly moved by the sudden and unexpected passing of United States Supreme Court Justice Antonin Gregory Scalia on February 13, 2016; and

Whereas, Supreme Court Chief Justice John G. Roberts, Jr. released a statement that includes “He was an extraordinary individual and jurist His passing is a great loss to the Court and the country he so loyally served”; and

Whereas, Supreme Court Justice Anthony Kennedy writes, “the driving force in all his work, and his powerful personality were shaped by an unyielding commitment to the Constitution of the United States and to the highest ethical and moral standards”; and

Whereas, Supreme Court Justice Clarence Thomas expressed his admiration thus, “[he] was a good man; a wonderful husband who loved his wife and his family; a man of strong faith; a towering intellect; a legal giant”; and

Whereas, dear friend and colleague Supreme Court Justice Ruth Bader Ginsburg writes, “He was jurist of captivating brilliance and wit, with a rare talent to make even the most sober judge laugh.... He was eminently quotable, his pungent opinions so clearly stated that his words never slipped from the reader’s grasp”; and

Whereas, Supreme Court Justice Steven G. Breyer describes him as a “legal titan.... He was a man of integrity and wit. His interests were wide ranging as was his knowledge about law, this Nation and its Constitution. He loved his family. He also loved ideas, music, and the out of doors”; and

Whereas, Supreme Court Justice Samuel Alito recalls him as a “towering figure who will be remembered as one of the most important figures in the history of the Supreme Court and a scholar who deeply influenced our legal culture”; and

Whereas, Supreme Court Justice Elena Kagan predicts he will go down in history “as one of the most transformational Supreme Court Justices of our nation. His views on interpreting texts have changed the way all of us think and talk about the law”:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-eighth General Assembly, join the citizens of this great country in solemn mourning of the passing of Justice Scalia and the consequential and unfathomable loss to his family, his friends, and his country; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution in memoriam of United States Supreme Court Justice Antonin Gregory Scalia.

Senator Richard moved that **SR 1477** be adopted, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HB 1979**, with **SCS, SS** for **SCS, SA 1, SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Keaveny, **SA 1** was withdrawn, rendering **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** moot.

President Pro Tem Richard assumed the Chair.

Senator Parson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Lines 9-10, by striking the words: “**after January 1, 2016,**”.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Line 16 of said page, by striking the following: “one year”; and further amend said page line 23, by striking the following words: “one year”.

Senator Schatz moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Line 16, by striking the words “**one year**” and inserting in lieu thereof the following: “**three years**”; and further amend said bill, section and page, Line 23 by striking the words “**one year**” and inserting in lieu thereof the following: “**three years**”.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill

No. 1979, Section 105.481, Line 5, by striking the word “**three**” and inserting in lieu thereof the word “**two**” and further amend said page, line 11, by striking the word “**three**” and inserting in lieu thereof the word “**two**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schatz raised the point of order that **SA 1** to **SSA 1** for **SA 3** is out of order as it reverses the original point of the amendment.

Senator Kehoe assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it not well taken.

President Pro Tem Richard assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Schaaf, **SSA 1** for **SA 3** was withdrawn, rendering **SA 1** to **SSA 1** for **SA 3** moot.

Senator Schaaf offered **SSA 2** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.481, Line 16 by striking the words “**one year**” and inserting in lieu thereof the following: “**one and one-half years**”; and further amend said bill, section and page, line 23 by striking the words “**one year**” and inserting in lieu thereof the following: “**one and one-half years**”.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 2** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Section 105.481, line 5 by striking the words “one and one half” and inserting in lieu thereof the following: “**two**”; and further amend said page, line 11, by striking the words “**one and one half**” and inserting in lieu thereof the following: “**two**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

At the request of Senator Schaaf, **SSA 2** for **SA 3** was withdrawn.

Senator Schatz moved that **SA 3** be adopted, which motion prevailed on a standing division vote.

Senator Schaaf offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 4, Section 105.456, Line 8, by inserting after all of said line the following:

“3. No individual or business entity shall solicit a member of the general assembly to become employed by that individual or business entity as a legislative lobbyist while such member is holding office as a member of the general assembly. No member of the general assembly shall solicit clients to represent as a legislative lobbyist.”.

Senator Schaaf moved that the above amendment be adopted.

Senator Chappelle-Nadal offered **SA 1** to **SA 4**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 1, Section 105.456, Line 4 by inserting immediately after “assembly” the following **“or staff member of a member of the general assembly”**; and further amend same page and section, line 7 by inserting immediately after “assembly” the following **“or staff member of a member of the general assembly”**.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** to **SA 4** is out of order as it goes beyond the intended scope of the bill.

Senator Schmitt assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it well taken.

SA 4 was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1979, Page 5, Section 105.481, Line 2, by inserting after all of said line the following:

“130.039. 1. In addition to the limitations imposed under section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, five thousand dollars;

(2) To elect an individual to the office of state senator, one thousand five hundred dollars;

(3) To elect an individual to the office of state representative, seven hundred fifty dollars;

(4) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census does not exceed fifty thousand, seven hundred fifty dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is more than fifty thousand but does not exceed one hundred fifty thousand, one thousand five hundred dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is greater than one hundred fifty thousand, five thousand dollars.

2. The amount of aggregate contributions made by any single contributor in a calendar year to any political party committee shall not exceed thirty-two thousand four hundred dollars.

3. For purposes of this subsection, “base year amount” shall be the contribution limits prescribed in this section on January 1, 2017. Such limits shall be increased on the first day of January in each odd-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five dollar amount, for all years since January 1, 2017.

4. Every committee established under this chapter shall be subject to the limits prescribed in subsection 1 of this section. The provisions of this subsection shall not limit the amount of contributions that may be accumulated by a candidate committee and used for expenditures to further the nomination or election of the candidate who controls such candidate committee.

5. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

6. Contributions received and expenditures made before January 1, 2017, shall be reported as a separate account and under the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made on or after January 1, 2017, shall be reported under the provisions of this chapter as a separate account from the other separate account described in this subsection. The account reported under the prior law shall be retained as a separate account and any remaining funds in such account may be used under this chapter.

7. Any committee that accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143.

130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which **is equal to or exceeds** [five] **two** thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution.

2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution **equal to or** exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly **or any time when legislation from the regular legislative session awaits gubernatorial action**, within forty-eight hours of receiving the contribution.

3. Any individual currently holding office as the governor, lieutenant governor, treasurer, attorney general, secretary of state or auditor or any candidate for such office or such person's campaign committee shall electronically report any contribution **equal to or** exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session or any time when legislation from the regular legislative session awaits gubernatorial action, within forty-eight hours of receiving the contribution.

4. Reports required under this section shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

[130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution. Such reports shall contain the same content required under section 130.041 and shall be filed in accordance with the standards established by the commission for electronic filing and other rules the commission may deem necessary to promulgate for the effective administration of this section.

2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.]; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 5** is out of order as it goes beyond the title and scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Onder moved that **SS** for **SCS** for **HB 1979**, as amended, be adopted, which motion prevailed.

On motion of Senator Onder, **SS** for **SCS** for **HB 1979**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Dixon—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for **SB 608**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 608

An Act to amend chapter 208, RSMo, by adding thereto four new sections relating to MO HealthNet health care provider fees.

Was taken up.

On motion of Senator Sater, **SS** for **SB 608** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Curls Keaveny Nasheed Schupp Walsh—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 682, introduced by Senators Cunningham and Romine, entitled:

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to land purchases made on behalf of departments of the state.

Was taken up.

On motion of Senator Cunningham, **SB 682** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 838, introduced by Senator Silvey, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 838

An Act to repeal sections 455.050 and 455.523, RSMo, and to enact in lieu thereof two new sections relating to the transfer of wireless telephone numbers.

Was taken up.

On motion of Senator Silvey, **SS** for **SCS** for **SB 838** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 704**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 704

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the transparency and accountability of public funds.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 704** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SB 847**, introduced by Senator Emery, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 847

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Was taken up.

On motion of Senator Emery, **SS No. 2** for **SB 847** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1891**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1401**, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1418**, entitled:

An Act to repeal sections 105.145, 238.222, and 238.272, RSMo, and to enact in lieu thereof three new sections relating to transportation development districts, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2181**, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof two new sections relating to the state capitol complex commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1550**, entitled:

An Act to repeal sections 452.375, RSMo, and to enact in lieu thereof one new section relating to violations of child custody judgments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1646, 2132 & 1621**, entitled:

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2030**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1877**, entitled:

An Act to repeal sections 210.110, 211.031, and 211.036, RSMo, and to enact in lieu thereof four new sections relating to the children's division.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2187**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to the sale of certain lands acquired through legal settlements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2156**, entitled:

An Act to repeal section 173.900, RSMo, and to enact in lieu thereof one new section relating to the Missouri returning heroes' education act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1717**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to public water systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2121, 1747 & 2244**, entitled:

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 1478, regarding the death of Vernon C. Mitchell, Sr., which was adopted.

Senator Kraus offered Senate Resolution No. 1479, regarding Aimee Ulrich, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1480, regarding Anna Donaldson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1481, regarding Meredith Scarborough, Lee's Summit, which was adopted.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 18, 2016

TO THE SECRETARY OF THE SENATE
98th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 585 entitled:

AN ACT

To repeal sections 211.393, 478.170, and 478.191, RSMo, and to enact in lieu thereof six new sections relating to the division of multicounty judicial circuits, with an emergency clause.

On February 18, 2016, I approved said Senate Committee Substitute for Senate Bill No. 585.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

INTRODUCTIONS OF GUESTS

On behalf of Senator Munzlinger and himself, Senator Pearce introduced to the Senate, Beverly Dometrorch, Fayette; Kenny Lovelace, Palmyra; Ryan Britt, Clifton Hill; Steve Radcliff, Livingston County.

Senator Pearce introduced to the Senate, Stormy Taylor, Kim Hall, Eddie Chitwood, Jazmine Gallagher, Trinity Preston, Ryann Harrelson, Kendal Harrison, Mallory Nicas, Mataeo Cupp, Lonnie Botwell, Ethan Orr, Faith Barker, Callie Culver, Spencer Long, Miranda Loyd, Jillian Godfrey, Charli Rhyne, Sarah Curtis,

Kameron Hillman, Coby Blessing, Joshua Banks, Jacob Bishop, Gregory Dale, Malina Colburn, Sarah Swainston and Samantha Hood, CLIMB High, Warrensburg.

Senator Schatz introduced to the Senate, Eddie Tune, Sullivan.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 22, 2016.

SENATE CALENDAR

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 22, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1029-Schupp	SB 1050-Schaaf
SB 1030-Schupp	SB 1051-Sater
SB 1031-Sater	SB 1052-Pearce
SB 1032-Wieland	SB 1053-Pearce
SB 1033-Pearce	SB 1054-Schaefer
SB 1034-Romine	SB 1055-Riddle
SB 1035-Romine	SB 1056-Riddle
SB 1036-Keaveny	SB 1057-Schaaf
SB 1037-Schaefer	SB 1058-Schaaf
SB 1038-Nasheed	SB 1059-Schaaf
SB 1039-Silvey	SB 1060-Dixon
SB 1040-Kraus	SB 1061-Dixon
SB 1041-Schatz and Schaaf	SB 1062-Brown
SB 1042-Holsman	SB 1063-Sater
SB 1043-Wieland	SB 1064-Brown
SB 1044-Wasson	SB 1065-Curls
SB 1045-Schaefer	SB 1066-Curls
SB 1046-Schaefer	SB 1067-Wallingford
SB 1047-Riddle	SB 1068-Holsman and Schupp
SB 1048-Riddle	SB 1069-Holsman
SB 1049-Schupp, et al	

HOUSE BILLS ON SECOND READING

HCS for HBs 1366 & 1878
 HCS for HB 1562
 HCS for HB 1658
 HB 1594-Crawford
 HB 1619-McCaherty
 HB 1478-Entlicher
 HB 1668-Shull
 HB 1733-Davis
 HB 1563-Haahr
 HB 1837-Fitzwater
 HB 1681-Haahr
 HCS for HJR 54
 HB 1795-Haefner
 HB 1568-Lynch
 HB 1576-Higdon
 HB 1577-Higdon
 HCS for HB 1862
 HB 1763-Shull
 HB 1708-Solon
 HB 1472-Dugger

HCS for HB 2140
 HB 1582-Kelley
 HB 2104-Alferman
 HB 1435-Koenig
 HB 1593-Crawford
 HB 1479-Entlicher
 HCS for HB 1584
 HCS for HB 1891
 HB 1401-Conway
 HCS for HB 1418
 HB 2181-Fitzpatrick
 HCS for HB 1550
 HCS for HBs 1646, 2132 & 1621
 HCS for HB 2030
 HCS for HB 1877
 HCS for HB 2187
 HB 2156-Davis
 HCS for HB 1717
 HCS for HBs 2121, 1747, & 2244

THIRD READING OF SENATE BILLS

SB 607-Sater (In Fiscal Oversight)
 SB 581-Schaaf (In Fiscal Oversight)
 SS for SB 621-Romine (In Fiscal Oversight)

SB 783-Onder (In Fiscal Oversight)
 SB 640-Schatz (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 656-Munzlinger
2. SB 732-Munzlinger
3. SB 641-Schatz
4. SB 706-Dixon
5. SB 794-Wallingford, with SCS
6. SB 799-Kraus
7. SB 875-Schaefer

8. SB 573-Schmitt
9. SB 919-Schmitt, with SCS
10. SB 879-Brown
11. SB 665-Parson
12. SB 835-Wasson
13. SBs 865 & 866-Sater, with SCS
14. SB 700-Schatz

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|---|----------------------------|
| 15. SB 823-Kraus, with SCS | 19. SB 802-Sater |
| 16. SB 814-Wallingford, et al, with SCS | 20. SB 804-Onder, with SCS |
| 17. SB 612-Cunningham | 21. SB 623-Libla |
| 18. SBs 688 & 854-Romine, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|--------------------------------------|---|
| HB 2166-Alferman, with SCS (Onder) | HB 1452-Hoskins, with SCS (Pearce) |
| HB 1983-Dogan, with SCS (Munzlinger) | HB 1631-Alferman, with SCS (Kraus) |
| HB 2203-Barnes, with SCS (Kehoe) | (In Fiscal Oversight) |
| HB 2226-Barnes (Silvey) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 580-Schaaf, with SCS, SA 2 & point of
order (pending) | SB 644-Onder, with SCS |
| SB 619-Wallingford | SB 816-Wieland, et al |
| | SB 825-Munzlinger, with SA 1 (pending) |

HOUSE BILLS ON THIRD READING

- HB 1575-Rowden, with SCA 1 (Onder)

CONSENT CALENDAR

Senate Bills

Reported 2/4

- | | |
|-------------------------|----------------|
| SB 650-Pearce, with SCS | SB 833-Nasheed |
| SB 627-Nasheed | SB 864-Sater |
| SB 646-Schupp, with SCS | SB 738-Parson |
| SB 831-Wasson | |

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 22, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“See, You have instructed many; You have strengthened the weak hands.” (Job 4:3)

Creator God, we are thankful for our safe arrival this day and give thanks for the work You have given us to do. We ask that You strengthen our hands to do what is right and our minds to think through difficult problems. Help us to remember that all answers come to light on Your schedule and so we pray for patience as we work through Your revealing what we must do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 18, 2016 was read and approved.

The Senate observed a moment of silence in memory of former Senator Mary Groves Bland and Evelyn Williams.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Dixon Schaefer—2

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 1482, regarding Olivia Crabtree, Independence, which was adopted.

Senator Schmitt offered Senate Resolution No. 1483, regarding Caitlin Kemp-Shukwit, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1484, regarding Eagle Scout Michael Langston, Maplewood, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1485, regarding Dr. Troy Paino, which was adopted.

Senator Parson offered Senate Resolution No. 1486, regarding the Fiftieth Wedding Anniversary of John and Barbara Loane, El Dorado Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 1487, regarding Zane Clark, Cameron, which was adopted.

Senator Wieland offered Senate Resolution No. 1488, regarding Andy Williams, Dittmer, which was adopted.

Senators Keaveny and Sifton offered Senate Resolution No. 1489, regarding Yumino Sasaki, Brentwood, which was adopted.

Senator Riddle offered Senate Resolution No. 1490, regarding the One Hundredth Fifth Birthday of Mildred (Surls) Casner, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 1491, regarding Taylor Lauer, Jonesburg, which was adopted.

Senator Wieland offered Senate Resolution No. 1492, regarding Eagle Scout Rick T. Ellis, Blackwell, which was adopted.

Senator Kraus offered Senate Resolution No. 1493, regarding Eagle Scout Ryan Joseph Gippner, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1494, regarding Joseph Paul Yotz, III, Pleasant Hill, which was adopted.

Senator Kraus offered Senate Resolution No. 1495, regarding David A. Moore, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 1496, regarding Aaron E. McNabb, Independence, which was adopted.

Senator Riddle offered Senate Resolution No. 1497, regarding the 2015 Class 3 State Champion, Warrenton High School Girls' Warriors Softball team, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1070—By Romine.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to titling of motor vehicles issued a junking certificate.

SB 1071—By Hegeman.

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to public utility vehicles, with an existing penalty provision.

SB 1072—By Hegeman.

An Act to amend chapter 208, RSMo, by adding thereto new section relating to reimbursement for emergency medical transportation services under the MO HealthNet program.

SB 1073—By Brown.

An Act to repeal sections 37.719, 162.685, 210.565, 210.566, and 211.171, RSMo, and to enact in lieu thereof eight new sections relating to foster care.

SB 1074—By Schmitt.

An Act to repeal sections 209.600, 209.605, and 209.610, RSMo, and to enact in lieu thereof three new sections relating to the achieving a better life experience act.

SB 1075—By Wallingford.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to missing endangered persons.

SB 1076—By Parson.

An Act to repeal section 197.315, RSMo, and to enact in lieu thereof two new sections relating to certificates of need for long-term care facilities.

SB 1077—By Parson.

An Act to repeal sections 56.067, 56.265, 56.363, 56.807, and 56.816, RSMo, and to enact in lieu thereof five new sections relating to county prosecutors, with an emergency clause.

SB 1078—By Parson.

An Act to repeal section 302.768, RSMo, and to enact in lieu thereof one new section relating to commercial driver's licenses.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 656** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 656, Page 8, Section 571.101, Lines 241-243, by striking all of the boldfaced language from said lines and inserting in lieu thereof the following: **“This fee shall include the cost to reimburse the Missouri state highway patrol for the costs of fingerprinting and criminal background checks. An additional fee shall be added to each credit card, debit card, or other electronic transaction equal to the charge paid by the state or the applicant for the use of the credit card, debit card, or other electronic payment method by the applicant.”**.

Senator Riddle assumed the Chair.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SB 656**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 732** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 732**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 732

An Act to repeal sections 44.010 and 44.032, RSMo, and to enact in lieu thereof three new sections relating to emergency responses.

Senator Munzlinger moved that **SS** for **SB 732** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SB 732** was declared perfected and ordered printed.

Senator Schatz moved that **SB 641** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 641** was declared perfected and ordered printed.

SB 706 was placed on the Informal Calendar.

Senator Wallingford moved that **SB 794**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 794**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 794

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption on parts and accessories for medical equipment.

Was taken up.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 794, Page 5, Section 144.030, Line 136, by inserting immediately after the word “prosthetic”, the word “devices”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS** for **SB 794**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 794**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 732** and **SB 656**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HBs 1366 & 1878**—Veterans' Affairs and Health.

HCS for **HB 1562**—Seniors, Families and Children.

HCS for **HB 1658**—General Laws and Pensions.

HB 1594—Judiciary and Civil and Criminal Jurisprudence.

HB 1619—Judiciary and Civil and Criminal Jurisprudence.

HB 1478—Financial and Governmental Organizations and Elections.

HB 1668—Small Business, Insurance and Industry.

HB 1733—Transportation, Infrastructure and Public Safety.

HB 1563—Small Business, Insurance and Industry.

HB 1837—Judiciary and Civil and Criminal Jurisprudence.

HB 1681—Education.

HCS for **HJR 54**—Governmental Accountability and Fiscal Oversight.

HB 1795—Seniors, Families and Children.

HB 1568—Veterans' Affairs and Health.

HB 1576—Rules, Joint Rules, Resolutions and Ethics.

HB 1577—Rules, Joint Rules, Resolutions and Ethics.

HCS for **HB 1862**—Judiciary and Civil and Criminal Jurisprudence.

HB 1763—Small Business, Insurance and Industry.

HB 1708—Small Business, Insurance and Industry.

HB 1472—General Laws and Pensions.

HCS for HB 2140—Governmental Accountability and Fiscal Oversight.

HB 1582—Ways and Means.

HB 2104—Jobs, Economic Development and Local Government.

HB 1435—Ways and Means.

HB 1593—Ways and Means.

HB 1479—Financial and Governmental Organizations and Elections.

HCS for HB 1584—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1891—Governmental Accountability and Fiscal Oversight.

HB 1401—Education.

HCS for HB 1418—Ways and Means.

HB 2181—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 1550—Seniors, Families and Children.

HCS for HBs 1646, 2132 & 1621—Education.

HCS for HB 2030—Ways and Means.

HCS for HB 1877—Seniors, Families and Children.

HCS for HB 2187—Governmental Accountability and Fiscal Oversight.

HB 2156—Education.

HCS for HB 1717—Commerce, Consumer Protection, Energy and the Environment.

HCS for HBs 2121, 1747 & 2244—Agriculture, Food Production and Outdoor Resources.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1029—Education.

SB 1030—Veterans' Affairs and Health.

SB 1031—Seniors, Families and Children.

SB 1032—Financial and Governmental Organizations and Elections.

SB 1033—General Laws and Pensions.

SB 1034—Jobs, Economic Development and Local Government.

SB 1035—Governmental Accountability and Fiscal Oversight.

SB 1036—Transportation, Infrastructure and Public Safety.

SB 1037—Transportation, Infrastructure and Public Safety.

- SB 1038**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1039**—Veterans' Affairs and Health.
- SB 1040**—Transportation, Infrastructure and Public Safety.
- SB 1041**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1042**—Education.
- SB 1043**—Transportation, Infrastructure and Public Safety.
- SB 1044**—Jobs, Economic Development and Local Government.
- SB 1045**—Progress and Development.
- SB 1046**—Transportation, Infrastructure and Public Safety.
- SB 1047**—Jobs, Economic Development and Local Government.
- SB 1048**—Seniors, Families and Children.
- SB 1049**—Small Business, Insurance and Industry.
- SB 1050**—Veterans' Affairs and Health.
- SB 1051**—Seniors, Families and Children.
- SB 1052**—Veterans' Affairs and Health.
- SB 1053**—Veterans' Affairs and Health.
- SB 1054**—Education.
- SB 1055**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1056**—Veterans' Affairs and Health.
- SB 1057**—General Laws and Pensions.
- SB 1058**—Veterans' Affairs and Health.
- SB 1059**—General Laws and Pensions.
- SB 1060**—Veterans' Affairs and Health.
- SB 1061**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1062**—Education.
- SB 1063** —Veterans' Affairs and Health.
- SB 1064** —Governmental Accountability and Fiscal Oversight.
- SB 1065** —General Laws and Pensions.
- SB 1066** —Transportation, Infrastructure and Public Safety.
- SB 1067** —Ways and Means.

SB 1068 —Financial and Governmental Organizations and Elections.

SB 1069 —Transportation, Infrastructure and Public Safety.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 641**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1477**, entitled:

An Act to repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political parties, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1474**, entitled:

An Act to repeal sections 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, and 130.071 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof two new sections relating to certain sections declared unconstitutional, with a delayed effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1729**, entitled:

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to fertilizer regulations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1414**, entitled:

An Act to amend chapter 267, RSMo, by adding thereto one new section relating to agricultural data collection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1588**, entitled:

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration report requirements for farming corporations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1728**, entitled:

An Act to repeal sections 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, and 266.347, RSMo, and to enact in lieu thereof six new sections relating to the establishment of the fertilizer control board.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate adjourned until 12:00 p.m., Tuesday, February 23, 2016.

SENATE CALENDAR

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 23, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1070-Romine
SB 1071-Hegeman

SB 1072-Hegeman
SB 1073-Brown

SB 1074-Schmitt
SB 1075-Wallingford
SB 1076-Parson

SB 1077-Parson
SB 1078-Parson

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729

HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt

THIRD READING OF SENATE BILLS

SB 607-Sater (In Fiscal Oversight)
SB 581-Schaaf (In Fiscal Oversight)
SS for SB 621-Romine (In Fiscal Oversight)
SB 783-Onder (In Fiscal Oversight)

SB 640-Schatz (In Fiscal Oversight)
SS for SB 732-Munzlinger
SB 656-Munzlinger
SB 641-Schatz

SENATE BILLS FOR PERFECTION

1. SB 799-Kraus
2. SB 875-Schaefer
3. SB 573-Schmitt
4. SB 919-Schmitt, with SCS
5. SB 879-Brown
6. SB 665-Parson
7. SB 835-Wasson
8. SBs 865 & 866-Sater, with SCS

9. SB 700-Schatz
10. SB 823-Kraus, with SCS
11. SB 814-Wallingford, et al, with SCS
12. SB 612-Cunningham
13. SBs 688 & 854-Romine, with SCS
14. SB 802-Sater
15. SB 804-Onder, with SCS
16. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 2166-Alferman, with SCS (Onder)
HB 1983-Dogan, with SCS (Munzlinger)
HB 2203-Barnes, with SCS (Kehoe)
HB 2226-Barnes (Silvey)

HB 1452-Hoskins, with SCS (Pearce)
HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)
HJR 53-Dugger (Kraus) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)

SB 619-Wallingford

SB 644-Onder, with SCS

SB 706-Dixon

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 23, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But you, O Lord, are a shield around me, my glory, and the one who lifts up my head. “ (Psalm 3:3)

In this time of change and demands about us, help us O Lord not to run ahead of Your plans for us. But grant us patience to do that which is right before us and focusing on our responsibilities and providing assistance to those with whom we work. Grant us courage to trust in You and the future You are bringing us. Grant that our thoughts are like Yours so we may accomplish what is before us this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the MissouriNet and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1498, regarding Ryan Hiatt, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 1499, regarding Anthony Bagley, which was adopted.

Senator Onder offered Senate Resolution No. 1500, regarding Seth Kemerer, which was adopted.

Senator Onder offered Senate Resolution No. 1501, regarding Carter Hult, which was adopted.

Senators Onder, Schmitt, Keaveny, Schupp, Walsh and Nasheed offered Senate Resolution No. 1502, regarding the Thirtieth Anniversary of the Saint Louis Crisis Nursery, which was adopted.

Senator Sater offered Senate Resolution No. 1503, regarding the Fiftieth Wedding Anniversary of Jim and Vicki Ferguson, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 1504, regarding the Sixty-fifth Wedding Anniversary of Al and Rose Campbell, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1505, regarding Kera Mingus, Kirbyville, which was adopted.

Senator Sater offered Senate Resolution No. 1506, regarding Brooke Hale, Forsyth, which was adopted.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 1079—By Riddle.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to crime scene photographs and video recordings.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1891**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 794**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 732**; **SB 641**; and **SCS** for **SB 794** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HB 2166, introduced by Representative Alferman, with **SCS**, entitled:

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.485 as enacted by house bill no. 2058, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating solely to lobbyist expenditures.

Was taken up by Senator Onder.

SCS for **HB 2166**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2166

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to lobbyist expenditures, with an existing penalty provision.

Was taken up.

Senator Onder moved that **SCS** for **HB 2166** be adopted.

Senator Onder offered **SS** for **SCS** for **HB 2166**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2166

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to lobbyist expenditures, with an existing penalty provision.

Senator Onder moved that **SS** for **SCS** for **HB 2166** be adopted.

Senator Romine assumed the Chair.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 9, Section 105.470, Line 10 of said page, by inserting immediately after the word “subdivision” the following: “**or any superintendent of a school district or school board member.**”.

Senator Emery moved that the above amendment be adopted.

Senator Pearce offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page, 1, Line 4 by striking the words “or school board member”.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Emery, **SA 1** was withdrawn, rendering **SA 1** to **SA 1** moot.

Senator Emery offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 105.470, Line 13 of said page by inserting after the word “dollars” the following: “**or any superintendent of a school district or school board member**”.

Senator Emery moved that the above amendment be adopted.

Senator Pearce offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 105.470, Line 12, by inserting after the word “village” the following: “**or any superintendent or school board member of a school district or any member of the governing body of a charter school**”.

Senator Pearce moved that the above substitute amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 15, Section 105.473, Lines 18-28, by striking all of said lines; and

Further amend said bill and section, page 16, lines 1-9, by striking all of said lines; and further amend said section by renumbering the remaining paragraphs accordingly; and

Further amend said bill and section, page 19, lines 17-19, by striking all of said lines and inserting in lieu thereof the following: “**staff, or his or her spouse or dependent children.**”

Senator Schaaf moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Schaaf offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 5, Section

105.470, Line 20, by inserting immediately after “accomplishment” the following: “**in excess of one billion dollars**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 4**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 5, Section 105.470, Line 20, by inserting immediately after “accomplishment” the following: “**in excess of one million dollars**”.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 4

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 2166, Page 1, Line 3, by striking “one million” and inserting in lieu thereof the following: “**fifty**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

SSA 1 for **SA 4**, as amended, was again taken up.

Senator Schaaf moved that **SSA 1** for **SA 4**, as amended, be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

At the request of Senator Onder, **HB 2166**, with **SCS** and **SS** for **SCS**, as amended, was placed on the Informal Calendar.

HB 1983, introduced by Representative Dogan, with **SCS**, entitled:

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to paid political consultants.

Was taken up by Senator Munzlinger.

SCS for **HB 1983**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1983

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to prohibiting elected officials from acting as paid political consultants.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 1983** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **HB 1983**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1983

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to prohibiting elected officials from acting as paid political consultants.

Senator Munzlinger moved that **SS** for **SCS** for **HB 1983** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1983, Page 4, Section 105.450, Line 2, by inserting after the word “or” the following: “**the interest of a**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1983, Page 4, Section 105.450, Line 1, by inserting after the word “paid” the following: “**for profit**”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1983, Page 4, Section 105.450, Line 9, by inserting immediately after the word “activities” the following: “**. The term “paid political consultant” shall not include vendors who provide goods or services that do not promote the election of a candidate or the interest of a committee in the ordinary course of the vendor’s business**”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **HB 1983**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **HB 1983**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1080—By Schaefer.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes, with expiration dates.

SB 1081—By Schaefer.

An Act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to the University of Missouri board of curators.

SB 1082—By Cunningham.

An Act to repeal sections 23.153, and 23.156, RSMo, and to enact in lieu thereof two new sections relating to the joint committee on legislative research.

SB 1083—By Wallingford.

An Act to repeal section 475.050, RSMo, and to enact in lieu thereof one new section relating to the appointment of a guardian for an incapacitated person.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1507, regarding Melanie Morgan, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1508, regarding Nadia Pshonyak, West Plains, which was adopted.

Senator Kraus offered Senate Resolution No. 1509, regarding Eagle Scout Kyle Walker, Greenwood, which was adopted.

Senator Kraus offered Senate Resolution No. 1510, regarding Eagle Scout Evan Jones, Lee's Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 1511, regarding John Thomas Curley, Temple Terrace, Florida, which was adopted.

Senator Riddle offered Senate Resolution No. 1512, regarding Yunil Jeon, South Korea, which was adopted.

Senator Schmitt offered Senate Resolution No. 1513, regarding the One Hundred Fiftieth Anniversary of the Mary Culver Home, Kirkwood, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Aliyah Cooper, Mattie Bollin, Amanda Furrer, Cyndi Shokelford, Taylor Herrington, Rabekah Atlakson, Hannah Friedrich, Mandy Camp, Nicholle Shybee, Kimberly Hale, Blake Dorsey, Amanda McCollough and Dr. Adriatik Likcani, University of Central Missouri.

Senator Emery introduced to the Senate, Steve Kasberly, Lamar; and Richard Shields, Clinton.

Senator Munzlinger introduced to the Senate, Dr. Troy Paino and Dr. Sue Thomas, Truman State University.

Senator Schupp introduced to the Senate, Physician of the Day, Christopher M. Wang, MD, Ballwin.

Senator Pearce introduced to the Senate, representatives of the University of Central Missouri Speech-Language Learning Association.

Senator Libla introduced to the Senate, Tom Graham, Leslie Collier and students from Westwood Baptist Academy, Poplar Bluff.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-EIGHTH DAY–WEDNESDAY, FEBRUARY 24, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1077-Parson
SB 1071-Hegeman	SB 1078-Parson
SB 1072-Hegeman	SB 1079-Riddle
SB 1073-Brown	SB 1080-Schaefer
SB 1074-Schmitt	SB 1081-Schaefer
SB 1075-Wallingford	SB 1082-Cunningham
SB 1076-Parson	SB 1083-Wallingford

HOUSE BILLS ON SECOND READING

HCS for HB 1477

HCS for HB 1474

HCS for HB 1729
HB 1414-Houghton

HB 1588-Franklin
HB 1728-Reiboldt

THIRD READING OF SENATE BILLS

SB 607-Sater (In Fiscal Oversight)
SB 581-Schaaf (In Fiscal Oversight)
SS for SB 621-Romine (In Fiscal Oversight)
SB 783-Onder (In Fiscal Oversight)
SB 640-Schatz (In Fiscal Oversight)

SS for SB 732-Munzlinger (In Fiscal Oversight)
SB 656-Munzlinger
SB 641-Schatz (In Fiscal Oversight)
SCS for SB 794-Wallingford (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 799-Kraus
2. SB 875-Schaefer
3. SB 573-Schmitt
4. SB 919-Schmitt, with SCS
5. SB 879-Brown
6. SB 665-Parson
7. SB 835-Wasson
8. SBs 865 & 866-Sater, with SCS

9. SB 700-Schatz
10. SB 823-Kraus, with SCS
11. SB 814-Wallingford, et al, with SCS
12. SB 612-Cunningham
13. SBs 688 & 854-Romine, with SCS
14. SB 802-Sater
15. SB 804-Onder, with SCS
16. SB 623-Libla

HOUSE BILLS ON THIRD READING

HB 2203-Barnes, with SCS (Kehoe)
HB 2226-Barnes (Silvey)
HB 1452-Hoskins, with SCS (Pearce)
HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)

HJR 53-Dugger (Kraus) (In Fiscal Oversight)
HCS for HB 1891 (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS, SA 2 & point of
order (pending)
SB 619-Wallingford
SB 644-Onder, with SCS

SB 706-Dixon
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 24, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Does not wisdom call, and does not understanding raise her voice?” (Proverbs 8:1)

Gracious God, You give us all work that needs to be done and You keep the mundane, difficult and aggravating into that which matters and are useful to Your people. So bless and inspire our work this day and teach us to learn from You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 1514, regarding Eagle Scout Dillon Andrew Freeze, Piedmont, which was adopted.

Senator Pearce offered Senate Resolution No. 1515, regarding John H. Harrington, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1516, regarding Andrew Martinez, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1517, regarding Shirley Briscoe, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1518, regarding Terrence Moody, which was adopted.

Senator Pearce offered Senate Resolution No. 1519, regarding Micheal Forbush, which was adopted.

Senator Pearce offered Senate Resolution No. 1520, regarding Larry Stevens, which was adopted.

Senator Pearce offered Senate Resolution No. 1521, regarding the death of James Williams, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1522, regarding Aimero Uriel, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1523, regarding Ernest Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1524, regarding Lorenza J. Whitaker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1525, regarding Penelope Clinton, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1526, regarding Donald L. Elmore, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1527, regarding Leanne Coronthia Blair, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1528, regarding the death of Wallace Singleton, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1529, regarding Gerald Blair, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1530, regarding Milton J. Taylor, Excelsior Springs, which was adopted.

Senator Pearce offered Senate Resolution No. 1531, regarding Donald Neal Goodwin, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1532, regarding Houston Clay Goodwin, Jr., Knob Noster,

which was adopted.

Senator Richard offered Senate Resolution No. 1533, regarding Destiny George, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1534, regarding Hannah Crouch, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1535, regarding Autumn Achey, Joplin, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 1084—By Pearce.

An Act to repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to early learning quality assurance.

SB 1085—By Pearce.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to student safety at public institutions of higher education.

SB 1086—By Holsman.

An Act to repeal section 287.250, RSMo, and to enact in lieu thereof one new section relating to the average weekly wage of certain employees under workers' compensation laws.

SB 1087—By Romine, Richard, Schaefer, Holsman, Sater, Wallingford, Schupp, Schmitt, Kraus, Walsh, Libla, Parson, Munzlinger, Chappelle-Nadal, Wieland, Curls, Wasson, Nasheed, Cunningham, Brown, Onder, Kehoe, Schaaf and Pearce.

An Act to repeal sections 43.400, 43.401, 43.402, and 43.410, RSMo, and to enact in lieu thereof five new sections relating to missing persons.

SB 1088—By Schmitt.

An Act to repeal sections 173.005, 174.225, 174.231, 174.251, and 174.324, RSMo, and to enact in lieu thereof six new sections relating to graduate programs at institutions of higher education, with an existing penalty provision.

SJR 41—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 18(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to county executives of charter counties.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 799** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 799**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 799

An Act to repeal sections 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to business fees, with an existing penalty provision.

Senator Kraus moved that **SS** for **SB 799** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 799** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 875** was placed on the Informal Calendar.

Senator Schmitt moved that **SB 573** be taken up for perfection, which motion prevailed.

On motion of Senator Schmitt, **SB 573** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 919**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 919**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 919

An Act to repeal section 311.205, RSMo, and to enact in lieu thereof three new sections relating to intoxicating liquor.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 919** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 919**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 919

An Act to repeal sections 311.090, 311.195, 311.200, 311.205, 311.220, 311.328, and 311.665, RSMo, and to enact in lieu thereof ten new sections relating to intoxicating liquor, with an effective date for a certain section and penalty provisions.

Senator Onder assumed the Chair.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from Lincoln County to enter the Chamber with side arms, which request was granted.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from Pike County to enter the Chamber with side arms, which request was granted.

Senator Schmitt moved that **SS** for **SCS** for **SB 919** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 9, Section 311.201, Lines 10-12, by striking said lines and inserting in lieu thereof the following: “**premises for consumption off such premises. Any employee of**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 5, Section 311.198, Line 7, by inserting after “brewer” the following: “**plus interest at a rate at least equal to the prime interest rate plus three percent as of the execution of the lease and not amortized over more than five years**”; and further amend said page and section, line 12, by inserting after “brewer” the following: “**plus interest at a rate at least equal to the prime interest rate plus three percent as of the execution of the lease and not amortized over more than five years**”.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Schmitt, **SB 919**, with **SCS, SS** for **SCS**, as amended, and **SA 2** (pending), was placed on the Informal Calendar.

Senator Brown moved that **SB 879** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 879** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 573**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 875** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 875, Page 1, Section 338.056, Line 5, by inserting after “interchangeable” the following: “**biological**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SB 875**, as amended, was declared perfected and ordered printed.

Senator Parson moved that **SB 665** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 665** was declared perfected and ordered printed.

Senator Wasson moved that **SB 835** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 835** was declared perfected and ordered printed.

Senator Sater moved that **SB 865** and **SB 866**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 865** and **866**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 AND 866

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof three new sections relating to licenses issued by the board of pharmacy.

Was taken up.

Senator Sater moved that **SCS** for **SBs 865** and **866** be adopted.

Senator Sater offered **SS** for **SCS** for **SBs 865** and **866**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 and 866

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof five new sections relating to pharmacy.

Senator Sater moved that **SS** for **SCS** for **SBs 865** and **866** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 and 866, Page 3, Section 338.347, Line 24, by inserting after all of said line the following:

“354.535. 1. If a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee’s right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No health maintenance organization, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every health maintenance organization shall apply the same coinsurance, co-payment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the health maintenance organization’s network if the provider meets the contract’s explicit product cost determination. If any such contract is rejected by any pharmacy provider, the health maintenance organization may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this

section shall be construed to prohibit the health maintenance organization from applying different coinsurance, co-payment and deductible factors between generic and brand name drugs.

4. If the co-payment applied by a health maintenance organization exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.

5. Health maintenance organizations shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the health maintenance organization's network.

[5.] **6.** Health maintenance organizations shall not insist or mandate any physician or other licensed health care practitioner to change an enrollee's maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444. Notwithstanding other provisions of law to the contrary, health maintenance organizations that change an enrollee's maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056.”; and

Further amend section 376.379, page 4, line 19 by inserting after all of said line the following:

“376.387. If the co-payment for prescription drugs applied by a health insurer or health carrier, as defined in section 376.1350, exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf move that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS for SCS for SBs 865 and 866**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS for SCS for SBs 865 and 866**, as amended, was declared perfected and ordered printed.

Senator Schatz moved that **SB 700** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 700** was declared perfected and ordered printed.

Senator Kraus moved that **SB 823**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 823, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 823

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax on internet access.

Was taken up.

Senator Kraus moved that **SCS** for **SB 823** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 823** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 814**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 814**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 814

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax deductions for active duty military personnel.

Was taken up.

Senator Romine assumed the Chair.

Senator Wallingford moved that **SCS** for **SB 814** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 814** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 612** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Cunningham, **SB 612** was placed on the Informal Calendar.

Senator Romine moved that **SB 688** and **SB 854**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 688** and **854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 688 AND 854

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

Was taken up.

Senator Romine moved that **SCS** for **SBs 688** and **854** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 688** and **854** was declared perfected and ordered printed.

Senator Sater moved that **SB 802** be taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 802, Page 1, In the Title, Line 3, of the title, by striking "a ban on abortions for

Down Syndrome” and inserting in lieu thereof the following: “family planning”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate, **be based on peer reviewed projects that have been demonstrated to influence healthy behavior, be age appropriate,** and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity [for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy] **as the only sure way to avoid pregnancy or sexually transmitted infection;**

(2) Stress that sexually transmitted [diseases] **infections** are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus (**HIV**), acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted [diseases] **infections;**

(3) Present students with the latest medically factual information [regarding both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710] **about the health benefits and side effects of all contraceptives and barrier methods as a means to prevent pregnancy and to reduce the risk of contracting sexually transmitted infections, HIV/AIDS and other diseases;**

(4) [Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan] **Provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active;**

(5) Encourage family communication between parents and children about sexuality;

(6) Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making;

[(5)] **(7) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one’s self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;**

[(6)] **(8) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;**

(9) Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;

[(7)] **(10)** Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline; and

[(8)] **(11)** Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends.

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials **and names and affiliations of presenters** used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

[7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion, which is not

necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.]"'; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Sater raised the point of order that **SA 1** is out of order in that it changes the title of the original bill and further is not germane. The point of order was referred to the President Pro Tem, who took it under advisement, which placed **SB 802**, with **SA 1** and the point of order (pending) on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SBs 865** and **866**; **SCS** for **SB 823**; **SCS** for **SB 814**; **SB 700**; **SB 835**; **SB 665**; **SB 875**; **SS** for **SB 799**; **SB 879**; and **SCS** for **SBs 688** and **854**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 799** and **SB 879** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 69**.

HOUSE CONCURRENT RESOLUTION NO. 69

WHEREAS, diverse, reliable, and affordable energy supply is vital to economic growth in Missouri; and

WHEREAS, the United States has abundant natural resources that have contributed to Missouri's growth and development, and Missouri benefits from a diverse mix of energy sources that include coal, natural gas, nuclear power, and renewable energy; and

WHEREAS, on June 2, 2014, the United States Environmental Protection Agency (EPA) proposed the Clean Power Plan to reduce carbon dioxide emissions from fossil fuel-fired power plants, requiring Missouri to significantly reduce the carbon dioxide emissions rate of its electricity-generating fleet; and

WHEREAS, the North American Electric Reliability Corporation and Regional Transmission Organizations are raising concerns about the reliability of the nation's electric grid in light of the projected national retirement of more than sixty gigawatts (GW) of generating capacity prior to 2020 due to economic considerations and compliance with more stringent environmental requirements; and

WHEREAS, on August 3, 2015, the EPA predicted in its regulatory impact analysis for its final Clean Power Plan that up to twenty-nine GW of coal-fired generating units would close in the United States by 2025 with eleven GW more closing by 2030, and many of these units are in or serving states that are members of the Southern States Energy Board; and

WHEREAS, some studies project that the EPA's proposed Clean Power Plan may cause double-digit electricity price increases in many states, including the sixteen states and two territories comprising the Southern States Energy Board; and

WHEREAS, Missouri burns coal for more than eighty percent of its electricity, and the state's carbon reduction goal under the final rule is much tougher than in the draft proposal; and

WHEREAS, Missouri must reduce its power-sector carbon emissions rate to 1,272 pounds of carbon dioxide per megawatt-hour of power produced, much stiffer than the 1,544 pounds per megawatt-hour level in the draft rule; and

WHEREAS, the Clean Power Plan is based on emission reduction measures that interfere with the regulation of electricity by individual states and that will have a major impact on energy resources, electricity ratepayers, grid reliability, jobs, and the economy of the United States; and

WHEREAS, twenty-nine states do not believe that the Clean Power Plan is consistent with the EPA's authority under the Clean Air Act; and

WHEREAS, the final Clean Power Plan may be overturned as the result of legal challenges by multiple states:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby find that the EPA's Clean Power Plan interferes with the sovereign powers of the states to regulate electricity within their borders and to ensure a reliable and affordable supply of electricity for their citizens; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the attorney general to take necessary legal actions regarding EPA's final Clean Power Plan to prevent unlawful obligations from being imposed on states, electricity providers, businesses, and citizens; and that pending resolution of all such legal actions, encourage the governor to take such additional actions as may be appropriate to protect the best interests of Missouri including, but not limited to, requesting a two-year extension of the deadline to submit a final state plan, refusing to submit a Clean Power Plan under Section 111(d) of the federal Clean Air Act, or working with state environmental agencies to submit an implementation plan that the state deems to be feasible and legally sound regardless of whether the plan conforms to the final rule; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the EPA, the Congress of the United States, governors, lieutenant governors, applicable state regulators, and legislative presiding officers.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 96**.

HOUSE CONCURRENT RESOLUTION NO. 96

WHEREAS, millions of veterans have proudly served in our country's Armed Forces over the years; and

WHEREAS, during their service, many of our veterans have come into contact with various toxic chemicals, including Agent Orange and other dioxincontaminated herbicides during the Vietnam War, various neurotoxins during the Gulf War, and chemical weapons and burn pits in Iraq and Afghanistan during Operations Enduring Freedom, Iraqi Freedom, and New Dawn; and

WHEREAS, this exposure has been linked to certain diseases which may affect both the veterans who were exposed and their progeny; and

WHEREAS, there are still yet unexplained service-connected ailments and undetected residual medical conditions, including potential congenital malformations resulting from exposure to toxic chemicals, the extent, composition, and effects of which we do not yet understand; and

WHEREAS, the pain, financial burden, and emotional turmoil that these medical ailments may cause are serious and worth addressing, particularly in light of the sacrifice that members of the Armed Forces made that led to such exposure; and

WHEREAS, the Toxic Exposure Research Act of 2015, H.R. 1769 and S. 901, a bipartisan bill, has been introduced in Congress to create a national center within the Department of Veterans Affairs to research treatment and diagnosis of health conditions of descendants of veterans exposed to toxins during their military service; and

WHEREAS, this measure would also authorize the Department of Defense to declassify certain incidents of exposure by service members to toxic substances, create a database of congenital anomalies, and devise a national outreach campaign on the potential long-term health effects of exposure to toxic substances on service members and their descendants; and

WHEREAS, such a measure would have significant importance and potential impact on veterans living in Missouri and their children:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge Congress and the President of the United States to enact H.R. 1769 and S. 901, the Toxic Exposure Research Act of 2015; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1536, regarding the Fiftieth Wedding Anniversary of Kenneth and Verlene Dougan, Ravenwood, which was adopted.

Senator Hegeman offered Senate Resolution No. 1537, regarding the Fiftieth Wedding Anniversary of Gilbert and Judy Shuler, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1538, regarding the Fiftieth Wedding Anniversary of Jerry and Barbara (Madden) O’Connell, Maryville, which was adopted.

Senator Parson offered Senate Resolution No. 1539, regarding Tyler Swearingin, Urbana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1540, regarding Courtney R. Guffey, Powersville, which was adopted.

Senator Brown offered Senate Resolution No. 1541, regarding the 1975-76 Licking Wildcat Women’s Volleyball Team, which was adopted.

Senator Libla offered Senate Resolution No. 1542, regarding Carrol Jean Lindley, which was adopted.

Senator Cunningham offered Senate Resolution No. 1543, regarding Eagle Scout Skyler Tompkins, West Plains, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Rhonda White and Lynne Shupe, Nevada; and Brad Williams, Lamar.

On behalf of Senator Onder and himself, Senator Kehoe introduced to the Senate, Kaitlyn Wilkinson, St. Charles.

On behalf of Senator Munzlinger, Senator Kehoe introduced Jourdan Cunningham, Moberly.

Senator Holsman introduced to the Senate, members of the Coalition on Mental Health Providers, Kansas City.

Senator Schaaf introduced to the Senate, representatives of Missouri Hospice and Palliative Care Association.

Senator Schaaf introduced to the Senate, Jana Wolfe, Shirley Collision and Gail Holand, Springfield; Sue Ann Greco and Sandra Murdock, St. Louis; and Marsha Conant, Diana Corzine and Kathy Weigand, St. Joseph.

Senator Riddle introduced to the Senate, Cadet Aflonso Leon Aguilar, Cadet Jose Emilio Estrada Pinon, Cadet Yunil Jeon, and Cadet John Thomas Curley, Missouri Military Academy, Mexico.

Senator Schaefer introduced to the Senate, students of the Columbia Public Schools Gifted Services.

Senator Riddle introduced to the Senate, Sheriff John Cottle, Lincoln County.

On behalf of Senators Holsman, Hegeman, Keaveny, Schmitt and himself, Senator Dixon introduced to the Senate, Piper-Danay Smith, Grandview; Zane Clark, Cameron; Brianna Duda, St. Louis; Caitlin

Shukwit, St. Louis; and Melanie Morgan and Nadio Pshonyak, Springfield, representatives of Missouri State University.

Senator Dixon introduced to the Senate, Daezia Smith, and representatives of Missouri State University Student Government.

Senator Cunningham introduced to the Senate, Anya Schilmoeller and Miranda Winston, Missouri State University.

Senator Hegeman introduced to the Senate, Kari Maag, Ryanna Parks-Shaw and Laura Bodicky, St. Joseph.

Senator Munzlinger introduced to the Senate, Sheriff Stephen Korte, Pike County.

Senator Pearce introduced to the Senate, Rebbecca Fenton and Michaela Mitchell, Central Methodist University.

Senator Chappelle-Nadal introduced to the Senate, Pastor Joe Yazy, Pastor Bryan W. Mann and Pastor B. T. Rice, St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 25, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1080-Schaefer
SB 1071-Hegeman	SB 1081-Schaefer
SB 1072-Hegeman	SB 1082-Cunningham
SB 1073-Brown	SB 1083-Wallingford
SB 1074-Schmitt	SB 1084-Pearce
SB 1075-Wallingford	SB 1085-Pearce
SB 1076-Parson	SB 1086-Holsman
SB 1077-Parson	SB 1087-Romine, et al
SB 1078-Parson	SB 1088-Schmitt
SB 1079-Riddle	SJR 41-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477	HCS for HB 1729
HCS for HB 1474	HB 1414-Houghton

HB 1588-Franklin

HB 1728-Reiboldt

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 607-Sater (In Fiscal Oversight) | 10. SB 573-Schmitt |
| 2. SB 581-Schaaf (In Fiscal Oversight) | 11. SS for SCS for SBs 865 & 866-Sater |
| 3. SS for SB 621-Romine
(In Fiscal Oversight) | 12. SCS for SB 823-Kraus |
| 4. SB 783-Onder (In Fiscal Oversight) | 13. SCS for SB 814-Wallingford, et al |
| 5. SB 640-Schatz (In Fiscal Oversight) | 14. SB 700-Schatz |
| 6. SS for SB 732-Munzlinger
(In Fiscal Oversight) | 15. SB 835-Wasson |
| 7. SB 656-Munzlinger | 16. SB 665-Parson |
| 8. SB 641-Schatz (In Fiscal Oversight) | 17. SB 875-Schaefer |
| 9. SCS for SB 794-Wallingford
(In Fiscal Oversight) | 18. SS for SB 799-Kraus (In Fiscal Oversight) |
| | 19. SB 879-Brown (In Fiscal Oversight) |
| | 20. SCS for SBs 688 & 854-Romine |

SENATE BILLS FOR PERFECTION

SB 804-Onder, with SCS

SB 623-Libla

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| HB 2203-Barnes, with SCS (Kehoe) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |
| HB 2226-Barnes (Silvey) | HCS for HB 1891 (Brown) |
| HB 1452-Hoskins, with SCS (Pearce) | |
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 580-Schaaf, with SCS, SA 2 & point of
order (pending) | SB 802-Sater, with SA 1 & point of order
(pending) |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 644-Onder, with SCS | SB 919-Schmitt, with SCS, SS for SCS &
SA 2 (pending) |
| SB 706-Dixon | |

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

RESOLUTIONS

To be Referred

HCR 69-Miller

HCR 96-Plocher

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 25, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You show me the path of life. In Your presence there is fullness of You; in Your right hand are pleasures forevermore.” (Psalm 16:11)

Gracious Father, in our work here and time at home we experience You and know life and the fullness of Your joy. Help us to always be mindful of the gifts that are in our lives and the completeness they bring to us and may we share them with those who touch our lives. We pray that You watch our going out and coming in this day, bringing us safely to those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1544, regarding Matt Brawner, which was adopted.

Senator Onder offered Senate Resolution No. 1545, regarding Kyle Mannisi, which was adopted.

Senator Onder offered Senate Resolution No. 1546, regarding Noah McCarty, which was adopted.

Senator Onder offered Senate Resolution No. 1547, regarding Wyatt Hensel, which was adopted.

Senator Onder offered Senate Resolution No. 1548, regarding Cuivre River Electric Cooperative, which was adopted.

Senator Onder offered Senate Resolution No. 1549, regarding Matt Urbeck, which was adopted.

Senator Onder offered Senate Resolution No. 1550, regarding Andrew Sides, which was adopted.

Senator Onder offered Senate Resolution No. 1551, regarding Rajon Scott, which was adopted.

Senator Onder offered Senate Resolution No. 1552, regarding Matthew Reidenbach, which was adopted.

Senator Onder offered Senate Resolution No. 1553, regarding Alexander Lu, which was adopted.

Senator Onder offered Senate Resolution No. 1554, regarding Brittany Krafft, which was adopted.

Senator Onder offered Senate Resolution No. 1555, regarding Elise Kaminski, which was adopted.

Senator Onder offered Senate Resolution No. 1556, regarding Sarah Darnell, which was adopted.

Senator Onder offered Senate Resolution No. 1557, regarding the Ambassadors of Lake Saint Louis, which was adopted.

Senator Parson offered Senate Resolution No. 1558, regarding Gary Noland, which was adopted.

Senator Parson offered Senate Resolution No. 1559, regarding the Fiftieth Wedding Anniversary of Larry and Kay Wheeler, Stockton, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1089—By Onder.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facility influenza vaccinations.

SB 1090—By Hegeman.

An Act to repeal section 104.1205, RSMo, and to enact in lieu thereof one new section relating to retirement of higher education employees, with an effective date.

SB 1091—By Riddle.

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

SB 1092—By Riddle.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to reimbursement for MO HealthNet services.

SB 1093—By Romine.

An Act to repeal sections 67.2800, 67.2810, 67.2815, and 67.2830, RSMo, and to enact in lieu thereof four new sections relating to property assessments for energy efficiency improvements.

SB 1094—By Kehoe.

An Act to repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to a property tax exemption for land subject to railbanking.

REFERRALS

President Pro Tem Richard referred **SCS** for **SBs 688** and **854**; **SB 700**; **SB 875**; and **SCS** for **SB 814** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1560

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2016 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-eighth General Assembly, hereby grant the 2016 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Thursday, July 14, 2016 from 12:00 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1560** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1560** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1561

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 10, 2016 through November 12, 2016 and December 1, 2016 through December 3, 2016.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1561** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1561** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1562

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. Wednesday, October 19, 2016 and 8:00 am to 12:00 pm Thursday, October 20, 2016.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1562** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1562** was adopted.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 580**, with **SCS**, **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Richard ruled the pending point of order not well taken.

At the request of Senator Schaaf, **SB 580**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Sater moved that **SB 802**, with **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Richard ruled the pending point of order well taken.

At the request of Senator Sater, **SB 802** was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 581**; **SB 607**; **SS** for **SB 621**; and **SB 640** begs leave to report that it has considered the same and recommends that the bills do pass.

President Pro Tem Richard assumed the Chair.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SJR 39**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence,

submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 916**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Stephanie D. Briscoe, as a member of the Missouri Family Trust Board of Trustees;

Also,

Charles A. Juden, III, as a member of the Peace Officer Standards and Training Commission;

Also,

Michala Stoker, as a member of the Organ Donation Advisory Committee; and

Tjitske G. Tubbergen-Maglio, as a member of the State Committee for Social Workers.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 607, introduced by Senator Sater, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility data verification for public assistance programs.

Was taken up.

On motion of Senator Sater, **SB 607** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 581, introduced by Senator Schaaf, entitled:

An Act to amend chapters 191 and 376, RSMo, by adding thereto two new sections relating to health care price transparency.

Was taken up.

On motion of Senator Schaaf, **SB 581** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 621, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 621

An Act to repeal sections 208.670, 334.108, 335.175, and 376.1900, RSMo, and to enact in lieu thereof eleven new sections relating to telehealth, with an emergency clause for a certain section.

Was taken up.

On motion of Senator Romine, **SS for SB 621** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 640, introduced by Senator Schatz, entitled:

An Act to repeal section 301.067, RSMo, and to enact in lieu thereof one new section relating to permanent trailer plate registration.

Was taken up.

On motion of Senator Schatz, **SB 640** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford

Walsh Wasson Wieland—31

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 656, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 571.101 and 571.104, RSMo, and to enact in lieu thereof two new sections relating to concealed carry permits, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

On motion of Senator Munzlinger, **SB 656** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—30

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 573, introduced by Senator Schmitt, entitled:

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to investment policies of the state, with a referendum clause.

Was taken up.

On motion of Senator Schmitt, **SB 573** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Keaveny—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SBs 865 and 866, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 and 866

An Act to repeal sections 338.270, 338.347, and 354.535, RSMo, and to enact in lieu thereof seven new

sections relating to pharmacy.

Was taken up.

On motion of Senator Sater, **SS** for **SCS** for **SBs 865** and **866** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 823**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 823

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax on internet access.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 823** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 835, introduced by Senator Wasson, entitled:

An Act to repeal section 335.203, RSMo, and to enact in lieu thereof one new section relating to the nursing education incentive program.

Was taken up.

On motion of Senator Wasson, **SB 835** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 665, introduced by Senator Parson, entitled:

An Act to repeal section 261.235, RSMo, and to enact in lieu thereof one new section relating to the establishment of a fee structure for sellers electing to use the AgriMissouri trademark associated with Missouri agricultural products.

Was taken up.

On motion of Senator Parson, **SB 665** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 804**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 804**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 804

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, and to enact in lieu thereof five new sections relating to sexual trafficking, with penalty provisions.

Was taken up.

Senator Onder moved that **SCS** for **SB 804** be adopted, which motion prevailed.

On motion of Senator Onder, **SCS** for **SB 804** was declared perfected and ordered printed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 855**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 997**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which were referred **SB 586** and **SB 651**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 800**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 676**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 867**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 937**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 861**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Keaveny, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 785**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 980**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 680**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was

referred **SB 844**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 994**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 836**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 772**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 698**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 786**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 624**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 590**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SB 661**, **SB 726** and **SB 741**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were

referred **SB 588**, **SB 603** and **SB 942**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 735**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 618**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 681**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 702**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 1025**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 856**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 950**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 897**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 988**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 973**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 888**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 921**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which were referred **SB 905** and **SB 992**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 801**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 964**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 986**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 1002**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 898**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which were referred **SB 789** and **SB 595**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 781**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 1009**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 909**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 899**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 852**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 625**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 659**, begs leave to report that it has considered the same and recommends that the bill do pass.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 1095—By Wallingford.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the senior services growth and development program.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **SCS** for **HB 1979**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **SCS** for **HB 1983**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1565**, entitled:

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1433**, entitled:

An Act to repeal sections 475.024 and 475.125, RSMo, and to enact in lieu thereof five new sections relating to guardianships.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2155**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to residency at public institutions of higher education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1387**, entitled:

An Act to repeal section 191.332, RSMo, and to enact in lieu thereof two new sections relating to public health, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1612**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to the establishment of a career and technical education diploma.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1817**, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, the Physician of the Day, Reese E. Thompson, M.D., Jefferson City.

Senator Emery introduced to the Senate, Karin Riepe, Pleasant Hill; and Amy Koelliker, Platte County.

Senator Schmitt introduced to the Senate, students from North Glendale Elementary; and Zion Roberts, Jasmine Gura and Jane Schmidt were made honorary pages.

Senator Kehoe introduced to the Senate, Superintendent Perry Gorrell; Jerry Hobbs; teachers Cynthia Wieberg and Rachel Ratcliff; and parents and students from Cole R-I, Russellville.

Senator Wallingford introduced to the Senate, Sidney and Laura Naramore, Chaffee; and Jeff Buchheit, Buchheit Trucking.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 29, 2016.

SENATE CALENDAR

 THIRTIETH DAY—MONDAY, FEBRUARY 29, 2016

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1084-Pearce
SB 1071-Hegeman	SB 1085-Pearce
SB 1072-Hegeman	SB 1086-Holsman
SB 1073-Brown	SB 1087-Romine, et al
SB 1074-Schmitt	SB 1088-Schmitt
SB 1075-Wallingford	SB 1089-Onder
SB 1076-Parson	SB 1090-Hegeman
SB 1077-Parson	SB 1091-Riddle
SB 1078-Parson	SB 1092-Riddle
SB 1079-Riddle	SB 1093-Romine
SB 1080-Schaefer	SB 1094-Kehoe
SB 1081-Schaefer	SB 1095-Wallingford
SB 1082-Cunningham	SJR 41-Schmitt
SB 1083-Wallingford	

HOUSE BILLS ON SECOND READING

HCS for HB 1477	HB 1565-Engler
HCS for HB 1474	HCS for HB 1433
HCS for HB 1729	HCS for HB 2155
HB 1414-Houghton	HCS for HB 1387
HB 1588-Franklin	HCS for HB 1612
HB 1728-Reiboldt	HCS for HB 1817

THIRD READING OF SENATE BILLS

- | | |
|--|--|
| 1. SB 783-Onder (In Fiscal Oversight) | 3. SB 641-Schatz (In Fiscal Oversight) |
| 2. SS for SB 732-Munzlinger
(In Fiscal Oversight) | 4. SCS for SB 794-Wallingford
(In Fiscal Oversight) |

5. SCS for SB 814-Wallingford, et al
(In Fiscal Oversight)
6. SB 700-Schatz (In Fiscal Oversight)
7. SB 875-Schaefer (In Fiscal Oversight)

8. SS for SB 799-Kraus (In Fiscal Oversight)
9. SB 879-Brown (In Fiscal Oversight)
10. SCS for SBs 688 & 854-Romine
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 623-Libla
2. SJR 39-Onder and Emery
3. SB 916-Schaefer
4. SB 855-Pearce, with SCS
5. SB 997-Pearce
6. SBs 586 & 651-Wasson, with SCS
7. SB 800-Sater, et al, with SCS
8. SB 676-Sater
9. SB 867-Sater
10. SB 937-Wallingford
11. SB 861-Wieland, with SCS
12. SB 785-Schaefer, with SCS
13. SB 980-Keaveny, with SCS
14. SB 680-Emery
15. SB 844-Parson
16. SB 772-Onder, with SCS
17. SB 698-Hegeman, with SCS
18. SB 786-Kraus
19. SB 624-Libla

20. SB 590-Dixon, with SCS
21. SBs 661, 726 & 741-Dixon, with SCS
22. SBs 588, 603 & 942-Dixon and Curls,
with SCS
23. SB 618-Wallingford, with SCS
24. SB 681-Cunningham
25. SB 702-Munzlinger
26. SB 1025-Kraus
27. SB 856-Silvey, with SCS
28. SB 988-Kraus
29. SB 973-Wasson, with SCS
30. SB 921-Riddle, with SCS
31. SB 801-Sater, with SCS
32. SB 964-Wallingford, with SCS
33. SB 986-Brown, with SCS
34. SB 1002-Hegeman
35. SB 898-Cunningham
36. SBs 789 & 595-Wasson, with SCS
37. SB 659-Wasson

HOUSE BILLS ON THIRD READING

- HB 2203-Barnes, with SCS (Kehoe)
HB 2226-Barnes (Silvey)
HB 1452-Hoskins, with SCS (Pearce)
HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)

- HJR 53-Dugger (Kraus) (In Fiscal Oversight)
HCS for HB 1891 (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)	SB 802-Sater
SB 612-Cunningham	SB 816-Wieland, et al
SB 619-Wallingford	SB 825-Munzlinger, with SA 1 (pending)
SB 644-Onder, with SCS	SB 919-Schmitt, with SCS, SS for SCS &
SB 706-Dixon	SA 2 (pending)

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)	HB 2166-Alferman (Onder), with SCS & SS for SCS (pending)
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CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 950-Wasson, with SCS	SB 899-Parson
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder) (House requests
Senate recede or grant conference)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger) (House requests
Senate recede or grant conference)

RESOLUTIONS

To be Referred

HCR 69-Miller

HCR 96-Plocher

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Journal of the Senate

SECOND REGULAR SESSION

THIRTIETH DAY—MONDAY, FEBRUARY 29, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will instruct you and teach you the way you should go; I will counsel you with my eye upon you.” (Psalm 32:8)

Gracious God, we begin a new week and have more and more laid before us and we need Your counsel as we work our way through the many bills that are for us to make decisions each day. We know we often see things from different perspectives yet we hope we can see the good that each bill will provide the people of this state and find ways to bring the best from each. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 25, 2016 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1563, regarding the Fiftieth Wedding Anniversary of Rob and Marty Sharp, Gallatin, which was adopted.

Senator Hegeman offered Senate Resolution No. 1564, regarding the Sixty-fifth Wedding Anniversary of Gerald and Barbara Godsey, Ravenwood, which was adopted.

Senator Schaefer offered Senate Resolution No. 1565, regarding Moy Zhong, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1566, regarding Dharti Patel, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1567, regarding Emily Oba, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1568, regarding Ji-Sung Lee, Columbia, which was adopted.

Senator Hegeman offered Senate Resolution No. 1569, regarding the Smithville High School wrestling program, which was adopted.

Senator Silvey offered Senate Resolution No. 1570, regarding Ingrid Weaver, Liberty, which was adopted.

Senator Wallingford offered Senate Resolution No. 1571, regarding Ty McCoy Gooch, Piedmont, which was adopted.

Senator Curls, joined by the entire membership, offered Senate Resolution No. 1572, regarding the death of former Senator Mary Groves Bland, which was adopted.

Senator Richard offered Senate Resolution No. 1573, regarding Joplin Workshops, Incorporated, which was adopted.

Senator Parson offered Senate Resolution No. 1574, regarding Everett L. Kelly, Buffalo, which was adopted.

Senator Parson offered Senate Resolution No. 1575, regarding Richard D. Lewis, Bolivar, which was adopted.

Senator Schmitt offered Senate Resolution No. 1576, regarding Harrison Ochs, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 1577, regarding the late James Orr, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 1578, regarding the Monett High School Performing Arts Center Design Committee, which was adopted.

Senator Sater offered Senate Resolution No. 1579, regarding Hallie Mitchell, Wheaton, which was adopted.

Senator Sater offered Senate Resolution No. 1580, regarding Rachel Jo Lacey, Exeter, which was adopted.

Senator Sater offered Senate Resolution No. 1581, regarding Tori Danielle Goostree, Rocky Comfort, which was adopted.

Senator Sater offered Senate Resolution No. 1582, regarding Audrey Shockley, Wheaton, which was adopted.

Senator Cunningham offered Senate Resolution No. 1583, regarding Russell Olewinski, Elk Creek, which was adopted.

Senator Riddle offered Senate Resolution No. 1584, regarding Terry Martin, Elsberry, which was adopted.

Senator Cunningham offered Senate Resolution No. 1585, regarding Eagle Scout Konnor N. Whipple, Mountain Grove, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1096—By Dixon and Keaveny.

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with an emergency clause.

SB 1097—By Dixon.

An Act to repeal sections 400.1-101, 400.1-102, 400.1-103, 400.1-105, 400.1-106, 400.1-107, 400.1-108, 400.1-201, 400.1-202, 400.1-203, 400.1-204, 400.1-205, 400.1-206, 400.1-207, 400.1-208, 400.7-102, 400.7-103, 400.7-104, 400.7-105, 400.7-201, 400.7-202, 400.7-203, 400.7-204, 400.7-205, 400.7-206, 400.7-207, 400.7-208, 400.7-209, 400.7-210, 400.7-301, 400.7-302, 400.7-303, 400.7-304, 400.7-305, 400.7-307, 400.7-308, 400.7-309, 400.7-401, 400.7-402, 400.7-403, 400.7-404, 400.7-501, 400.7-502, 400.7-503, 400.7-504, 400.7-505, 400.7-506, 400.7-507, 400.7-508, 400.7-509, 400.7-601, 400.7-602, 400.7-603, and 400.7-604, RSMo, and to enact in lieu thereof sixty-four new sections relating to the uniform commercial code.

SB 1098—By Dixon.

An Act to repeal section 2.070, RSMo, and to enact in lieu thereof one new section relating to the return of copies of laws received by county officers.

SB 1099—By Dixon.

An Act to repeal sections 2.050, 2.060, 3.010, 3.140, 3.150, 23.020, 23.040, and 23.050, RSMo, and to enact in lieu thereof eight new sections relating to the duties and functions of the joint committee on legislative research.

SB 1100—By Silvey and Holsman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to the Missouri-Kansas border war Part II: The Hammer.

SB 1101—By Silvey.

An Act to repeal sections 210.115 and 210.180, RSMo, and to enact in lieu thereof three new sections relating to child abuse and neglect.

SB 1102—By Silvey.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to patient-designated caregivers.

SB 1103—By Schaefer.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to administrative costs of public institutions of higher education.

SB 1104—By Schaefer.

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

SB 1105—By Schaefer.

An Act to repeal section 211.059, RSMo, and to enact in lieu thereof one new section relating to a child taken into custody.

SB 1106—By Schaefer.

An Act to repeal sections 104.380 and 104.1039, RSMo, and to enact in lieu thereof three new sections relating to the calculation of creditable service for rehired retired state employees.

SB 1107—By Riddle.

An Act to repeal section 523.262, RSMo, and to enact in lieu thereof one new section relating to eminent domain powers of utilities.

SB 1108—By Curls.

An Act to repeal sections 103.003 and 103.079, RSMo, and to enact in lieu thereof two new sections relating to higher education entity participation in Missouri consolidated health care plan.

SB 1109—By Hegeman.

An Act to repeal section 162.1115, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

SB 1110—By Brown.

An Act to repeal section 211.093, RSMo, and to enact in lieu thereof one new section relating to juvenile court orders.

SB 1111—By Brown.

An Act to amend chapter 208, RSMo, by adding thereto three new sections relating to MO HealthNet managed care.

SB 1112—By Richard.

An Act to repeal section 253.550, RSMo, and to enact in lieu thereof three new sections relating to historic buildings, with an emergency clause.

SB 1113—By Schaaf.

An Act to repeal section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second

regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to financial disclosure under campaign finance laws.

Senator Romine assumed the Chair.

SB 1114—By Wallingford.

An Act to amend chapter 334, RSMo, by adding thereto nineteen new sections relating to the practice of radiologic imaging and radiation therapy, with a penalty provision.

REFERRALS

President Pro Tem Richard referred **HCR 69** and **HCR 96** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 26, 2016

TO THE SECRETARY OF THE SENATE
98th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Concurrent Resolution No. 46 entitled:

An act by concurrent resolution and pursuant to Article IV, Section 8, to disapprove the final order of rulemaking for the proposed rule 19 CSR 15-8.410 Personal Care Attendant Wage Range.

I disapprove of Senate Concurrent Resolution No. 46. My reasons for disapproval are as follows:

Senate Concurrent Resolution No. 46 is an attempt to frustrate implementation of the Quality Home Care Act ("the Act"), RSMo Sections 208.850 to 208.871, which Missouri voters approved by a margin of 75% to 25% in November 2008. The purpose of the Act was to address the growing need for quality home care services by creating a mechanism to increase the wages, benefits, and training for personal care attendants. By disapproving this rule, the General Assembly defies the will of voters and denies these personal care attendants a much-deserved increase in their wages.

The Act created a bargaining process to address wages for "personal care attendants." "Personal care attendants" provide personal care assistance and similar services for physically disabled persons who are participants in the state-administered Consumer-Directed Services program. To effectuate the newly-created bargaining process, the Act created the Missouri Quality Home Care Council ("the Council") and authorized the personal care attendants to designate an exclusive bargaining representative. Under the Act, the Council engages in collective bargaining with the exclusive bargaining representative and recommends a wage rate for personal care attendants to the General Assembly. Although personal care attendants are ordinarily considered employees of the consumers for whom they provide services, the Act deems them employees of the Council for purposes of collective bargaining.

Following the overwhelming voter approval of the Act, the Council was created and personal care attendants formed and designated the Missouri Home Care Union as their exclusive bargaining representative ("the Bargaining Representative"). The Council and the Bargaining Representative engaged in negotiations, and the Council ultimately adopted a recommendation that Consumers be able to set their personal care attendant's wage between \$8.50 and \$10.15 per hour. This wage rate increase was recommended to the General Assembly, as required by the Act, through promulgation of Rule 19 CSR 15-8.410 by the Department of Health and Senior Services, which administers the Consumer-Directed Services program. Senate Concurrent Resolution No. 46 seeks to disapprove this rule.

Rather than directly attacking the wage increase for personal care attendants, the General Assembly camouflages its dislike by raising misplaced procedural objections to the rule. And, notably, the General Assembly has offered no alternative to rulemaking to implement the recommended wage increase. Contrary to what Senate Concurrent Resolution No. 46 says, the Department of Health and Senior Services has general statutory authority to promulgate the rule. Further, Section 208.903.2, RSMo, requires the Department of Health and Senior Services to establish the statewide rate for personal care attendant services of which payment to personal care attendants is a component. In addition, the Act very

specifically requires the State to “cooperate in the implementation of any agreements reached by the council and any representative of personal care attendants.” Section 208.862.5, RSMo. The State, through the Department, cooperated in the implementation of the agreement by promulgating the rule. At every step, the State has adhered to the process in the voter-approved Act: The establishment of the Council, the designation of the Bargaining Representative, and a negotiation between the two that ultimately resulted in a wage rate for personal care attendants. The rule is the means by which to implement the agreement, the Department had the authority to do so, and the General Assembly offers no alternative to rulemaking.

Senate Concurrent Resolution No. 46 would deny a bargained-for wage increase for personal care attendants. The absence of any suggested alternative to promulgating a rule suggests that the true motivation for this misguided resolution is simply to prevent personal care attendants from receiving competitive wages. But for Senate Concurrent Resolution No. 46, these workers would receive a pay increase.

In sum, Senate Concurrent Resolution No. 46 is wrong on the law and is a pretext for denying a wage increase to personal care attendants. With it, the General Assembly seeks to ignore the will of voters and to punish personal care attendants, neither of which will receive my approval.

In accordance with the above stated reasons for my disapproval, I am returning Senate Concurrent Resolution No. 46 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

PRIVILEGED MOTIONS

Senator Munzlinger moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1983**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1983**, as amended: Senators Munzlinger, Onder, Kehoe, Sifton and Holsman.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 919**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Schmitt offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 5, Section 311.198, Line 7, by inserting after “brewer” the following: “**plus two percent of the total lease value as of the execution of the lease**”; and further amend said page and section, line 12, by inserting after “brewer” the following: “**plus two percent of the total lease value as of the execution of the lease**”.

Senator Schmitt moved that the above substitute amendment be adopted.

At the request of Senator Schmitt, **SB 919**, with **SCS**, **SS** for **SCS**, **SA 2** and **SSA 1** for **SA 2** (pending) was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 804**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

PRIVILEGED MOTIONS

Senator Onder moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1979**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1979**, as amended: Senators Onder, Hegeman, Kehoe, Sifton and Holsman.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 575**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1964**, entitled:

An Act to repeal sections 173.260 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to survivor benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1780 & 1420**, entitled:

An Act to repeal section 169.070, RSMo, and to enact in lieu thereof one new section relating to school employee retirement, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1392**, entitled:

An Act to repeal section 197.258, RSMo, and to enact in lieu thereof one new section relating to hospice survey requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1480**, entitled:

An Act to repeal sections 115.257, 115.291, 115.293, and 115.299, RSMo, and to enact in lieu thereof four new sections relating to absentee ballots, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1850**, entitled:

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to health care workforce analysis.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1419**, entitled:

An Act to repeal sections 162.720 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1613**, entitled:

An Act to repeal section 173.750, RSMo, and to enact in lieu thereof three new sections relating to remediation prevention.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1721**, entitled:

An Act to repeal section 370.230, RSMo, and to enact in lieu thereof one new section relating to credit union supervisory committees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1449**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to public utility vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1601**, entitled:

An Act to repeal section 161.072, RSMo, and to enact in lieu thereof two new sections relating to appointment of a teacher representative to the state board of education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1827**, entitled:

An Act to repeal sections 272.030 and 272.230, RSMo, and to enact in lieu thereof two new sections relating to livestock trespass.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1904**, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2111**, entitled:

An Act to repeal section 115.124, RSMo, and to enact in lieu thereof one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

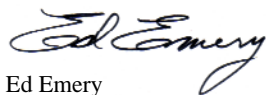
Senator Emery submitted the following:

February 29, 2016

Adriane Crouse
Secretary of the Senate
Missouri State Capitol
Jefferson City, MO 65102

Dear Adriane:

I respectfully request, pursuant to rule 45, SB 899 regarding the highway naming for LeRoy Van Dyke be removed from the consent calendar.



Ed Emery
District 31

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, his son, Grant, Kansas City.

Senator Kehoe introduced to the Senate, Jordan Grefrath, Olivia Michaelson and Hal Dulle, Jefferson City.

Senator Kehoe introduced to the Senate, Daryl Struempf, Jefferson City High School.

Senator Cunningham introduced to the Senate, Stan Coday, Ted Probert and Archie Daily, Wright County.

On behalf of Senators Libla, Wallingford and himself, the President introduced to the Senate, Tom and Becky Jennings, Benton.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIRST DAY—TUESDAY, MARCH 1, 2016

FORMAL CALENDAR

VETOED SENATE BILLS

SCR 46-Schmitt

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1093-Romine
SB 1071-Hegeman	SB 1094-Kehoe
SB 1072-Hegeman	SB 1095-Wallingford
SB 1073-Brown	SB 1096-Dixon and Keaveny
SB 1074-Schmitt	SB 1097-Dixon
SB 1075-Wallingford	SB 1098-Dixon
SB 1076-Parson	SB 1099-Dixon
SB 1077-Parson	SB 1100-Silvey and Holsman
SB 1078-Parson	SB 1101-Silvey
SB 1079-Riddle	SB 1102-Silvey
SB 1080-Schaefer	SB 1103-Schaefer
SB 1081-Schaefer	SB 1104-Schaefer
SB 1082-Cunningham	SB 1105-Schaefer
SB 1083-Wallingford	SB 1106-Schaefer
SB 1084-Pearce	SB 1107-Riddle
SB 1085-Pearce	SB 1108-Curls
SB 1086-Holsman	SB 1109-Hegeman
SB 1087-Romine, et al	SB 1110-Brown
SB 1088-Schmitt	SB 1111-Brown
SB 1089-Onder	SB 1112-Richard
SB 1090-Hegeman	SB 1113-Schaaf
SB 1091-Riddle	SB 1114-Wallingford
SB 1092-Riddle	SJR 41-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477

HCS for HB 1474

HCS for HB 1729
 HB 1414-Houghton
 HB 1588-Franklin
 HB 1728-Reiboldt
 HB 1565-Engler
 HCS for HB 1433
 HCS for HB 2155
 HCS for HB 1387
 HCS for HB 1612
 HCS for HB 1817
 HCS for HB 1964
 HCS for HBs 1780 & 1420

HB 1392-King
 HCS for HB 1480
 HCS for HB 1850
 HCS for HB 1419
 HCS for HB 1613
 HB 1721-Dugger
 HCS for HB 1449
 HCS for HB 1601
 HB 1827-McGaugh
 HCS for HB 1904
 HB 2111-Eggleston

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SB 783-Onder (In Fiscal Oversight) | 6. SB 700-Schatz (In Fiscal Oversight) |
| 2. SS for SB 732-Munzlinger
(In Fiscal Oversight) | 7. SB 875-Schaefer (In Fiscal Oversight) |
| 3. SB 641-Schatz (In Fiscal Oversight) | 8. SS for SB 799-Kraus (In Fiscal Oversight) |
| 4. SCS for SB 794-Wallingford
(In Fiscal Oversight) | 9. SB 879-Brown (In Fiscal Oversight) |
| 5. SCS for SB 814-Wallingford, et al
(In Fiscal Oversight) | 10. SCS for SBs 688 & 854-Romine
(In Fiscal Oversight) |
| | 11. SCS for SB 804-Onder |

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|---|
| 1. SB 623-Libla | 16. SB 772-Onder, with SCS |
| 2. SJR 39-Onder and Emery | 17. SB 698-Hegeman, with SCS |
| 3. SB 916-Schaefer | 18. SB 786-Kraus |
| 4. SB 855-Pearce, with SCS | 19. SB 624-Libla |
| 5. SB 997-Pearce | 20. SB 590-Dixon, with SCS |
| 6. SBs 586 & 651-Wasson, with SCS | 21. SBs 661, 726 & 741-Dixon, with SCS |
| 7. SB 800-Sater, et al, with SCS | 22. SBs 588, 603 & 942-Dixon and Curls,
with SCS |
| 8. SB 676-Sater | 23. SB 618-Wallingford, with SCS |
| 9. SB 867-Sater | 24. SB 681-Cunningham |
| 10. SB 937-Wallingford | 25. SB 702-Munzlinger |
| 11. SB 861-Wieland, with SCS | 26. SB 1025-Kraus |
| 12. SB 785-Schaefer, with SCS | 27. SB 856-Silvey, with SCS |
| 13. SB 980-Keaveny, with SCS | 28. SB 988-Kraus |
| 14. SB 680-Emery | 29. SB 973-Wasson, with SCS |
| 15. SB 844-Parson | |

30. SB 921-Riddle, with SCS
31. SB 801-Sater, with SCS
32. SB 964-Wallingford, with SCS
33. SB 986-Brown, with SCS
34. SB 1002-Hegeman

35. SB 898-Cunningham
36. SBs 789 & 595-Wasson, with SCS
37. SB 659-Wasson
38. SB 575-Schaefer, with SCS

HOUSE BILLS ON THIRD READING

HB 2203-Barnes, with SCS (Kehoe)
HB 2226-Barnes (Silvey)
HB 1452-Hoskins, with SCS (Pearce)
HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)

HJR 53-Dugger (Kraus)
(In Fiscal Oversight)
HCS for HB 1891 (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)
SB 612-Cunningham
SB 619-Wallingford
SB 644-Onder, with SCS
SB 706-Dixon

SB 802-Sater
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)
SB 919-Schmitt, with SCS, SS for SCS,
SA 2 & SSA 1 for SA 2 (pending)

HOUSE BILLS ON THIRD READING

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 950-Wasson, with SCS
SB 897-Hegeman
SB 888-Walsh

SBs 905 & 992-Sifton, with SCS
SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, MARCH 1, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Like good stewards of the manifold grace of God, serve one another with whatever gift each of you has received.” (I Peter 4:10)

Merciful God as we gather as the body of the senate we see about us the various men and women whose gifts and talents are special and needed as we seek to work together. Help us to know we are called to share those gifts and make good use of them for the good of the people of Missouri. We are thankful Lord, for this opportunity. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net was given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1586, regarding Eagle Scout Austin Bailey Swearingin, Springfield, which was adopted.

Senator Wasson offered Senate Resolution No. 1587, regarding Eagle Scout Ethan Lynn Swearingin, Springfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 1588, regarding Joyce Rohrbach, California, which was adopted.

Senator Kehoe offered Senate Resolution No. 1589, regarding the Maries County R-II School District Archery program, which was adopted.

Senator Kehoe offered Senate Resolution No. 1590, regarding William M. “Bill” Lockwood, which was adopted.

Senator Kehoe offered Senate Resolution No. 1591, regarding Crystal Diebold, Eldon, which was adopted.

Senator Wasson offered Senate Resolution No. 1592, regarding Eagle Scout Logan Martin Swearingin, Springfield, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 66

Whereas, the University of Missouri System plays a crucial role in the culture and economy of the State of Missouri; and

Whereas, recent events on the University of Missouri-Columbia campus have shown a lack of leadership in the administration of the University of Missouri System:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the “University of Missouri System Review Commission”; and

Be It Further Resolved that the mission of the commission shall be to review the University of Missouri System, including but not limited to the System's collected rules and regulations, administrative structure, campus structure, auxiliary enterprises structure, degree programs, research activities, and diversity programs; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) Four members to be appointed by the President Pro Tempore of the Senate; and
- (2) Four members to be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the members shall collectively possess strong experience and expertise in governance, management and finance, school leadership, instruction, and law, and shall have demonstrated understanding of and commitment to the University of Missouri System and to the important role that the University has in the past, present, and future of the State of Missouri; and

Be It Further Resolved that the commission shall elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet upon a call for meeting by the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission; and

Be It Further Resolved that the commission shall conduct a thorough review of the University of Missouri System and detail any recommendations for changes to the System; and

Be It Further Resolved that the commission shall prepare a report for the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the President of the University of Missouri System detailing said recommended changes by December 31, 2016; and

Be It Further Resolved that the University of Missouri System shall adopt and implement the recommendations of the commission and such adoption and implementation, or lack thereof, shall be considered by the General Assembly during the appropriations process; and

Be It Further Resolved that the commission shall be authorized to hire staff to provide such legal, research, clerical, technical, and bill drafting services as the commission may require in the performance of its duties; and

Be It Further Resolved that the commission, its members, and any staff hired by the commission shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the commission; and

Be It Further Resolved that the actual expenses of the commission, its members, and any staff hired by the commission incurred by the commission shall be paid through the appropriations provided to the Department of Higher Education; and

Be It Further Resolved that the commission is authorized to function during the legislative interim between the Second Regular Session of the Ninety-eighth General Assembly and the First Regular Session of the Ninety-ninth General Assembly through December 31, 2016, as acknowledged by *State v. Atterbury*, 300 S.W.2d 806 (Mo. 1957).

Senator Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 67

Whereas, humans need a varied diet containing protein in order to be healthy; and

Whereas, eggs are an efficient, nutritious, and affordable form of animal protein on which millions of Americans rely; and

Whereas, Article I, Section 8, Clause 3 of the United States Constitution, also known as the Commerce Clause, was designed to ensure free trade between the states by preventing any state from imposing a tariff or other restriction on goods from another state; and

Whereas, California is one of the nation's largest producers and consumers of eggs for human consumption; and

Whereas, conventional chicken enclosures, also known as battery cages, have been proven to better protect egg-laying hens from bone breaks, cannibalism, disease, smothering, and predation than free range operations or operations using so-called "enriched cages"; and

Whereas, forcing egg producers to switch to "enriched cages" or nonconfinement operations drove up the cost of eggs in the European Union while also leading to food shortages and the closure of countless farms; and

Whereas, forcing egg farmers in America to abandon battery cages in favor of "enriched cages" or nonconfinement operations will lead to the same impacts on the U.S. economy and food supply; and

Whereas, the Humane Society of the United States, also known as HSUS, is America's largest animal rights group and has aggressively pursued an agenda intended to decrease and eventually eliminate the public's consumption of animal protein; and

Whereas, California voters adopted Proposition 2 to their state constitution in 2008, requiring the state's egg producers to switch to "enriched cages" or nonconfinement operations in a campaign led and funded by the Humane Society of the United States; and

Whereas, in 2010, at the behest of HSUS, the California legislature passed AB 1437, which was signed into law by Governor Arnold Schwarzenegger, prohibiting the sale of eggs from other states that do not meet the requirements of Proposition 2 of 2008; and

Whereas, together, California's Proposition 2 and AB 1437 violate the Commerce Clause of the U.S. Constitution by preventing free trade among the states; and

Whereas, together, California's Proposition 2 and AB 1437 have artificially increased egg prices and restricted the availability of affordable eggs and vital animal protein to Californians, especially low-income citizens:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby condemn California's anti-trade actions and call on the California legislature to repeal AB 1437 and urge the voters of California to reconsider and repeal Proposition 2; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the majority and minority leaders of the California General Assembly, the Governor of California, and the Attorney General of California.

Senator Schupp offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 68

Whereas, Falun Dafa, also known as Falun Gong, is a Chinese practice of gentle exercise and meditation based on the universal principles of truthfulness, compassion, and forbearance; and

Whereas, this practice, which transcends all cultural, social, economic, and national boundaries, has helped millions of practitioners in over 70 countries create and improve personal well-being and become more productive members of society; and

Whereas, in 1999 the government of the People's Republic of China outlawed the practice of Falun Dafa in that nation and created a campaign of persecution and terror against its peaceful adherents; and

Whereas, independent investigations confirmed that the Chinese regime commits forced organ harvesting on Falun Dafa prisoners of conscience that results in their deaths; and

Whereas, this persecution campaign against practitioners of Falun Dafa denies the basic human rights of freedom of belief, assembly and

expression:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby declare our support for the Falun Dafa movement and its followers and urge the United States government to demonstrate its support for freedom of expression to practice Falun Dafa; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri's Congressional delegation.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 1115—By Emery.

An Act to repeal sections 452.340 and 452.375, RSMo, and to enact in lieu thereof two new sections relating to child custody.

SB 1116—By Wasson.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to programs administered by the department of economic development.

SB 1117—By Wasson.

An Act to repeal section 315.005, RSMo, and to enact in lieu thereof two new sections relating to residential dwellings offered for rent to transient guests.

SB 1118—By Schaaf.

An Act to repeal section 173.1003, RSMo, and to enact in lieu thereof two new sections relating to higher education student fees.

SB 1119—By Pearce.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to public service loan forgiveness.

SB 1120—By Hegeman, Pearce, Richard and Kehoe.

An Act to repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof four new sections relating to multipurpose water resources.

SB 1121—By Onder.

An Act to amend chapter 92, RSMo, by adding thereto five new sections relating to prepaid wireless telecommunications services taxes, with an effective date.

SB 1122—By Schupp.

An Act to repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions and an effective date.

SB 1123—By Schupp.

An Act to repeal sections 66.620 and 94.857, RSMo, and to enact in lieu thereof three new sections relating to sales taxes.

SB 1124—By Brown.

An Act to repeal section 135.679, RSMo, and to enact in lieu thereof three new sections relating to agricultural tax credits.

SB 1125—By Chappelle-Nadal.

An Act to repeal sections 162.081, 162.083, and 162.1100, RSMo, and to enact in lieu thereof three new sections relating to governing boards for unaccredited school districts.

SB 1126—By Chappelle-Nadal.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to public service loan forgiveness.

SB 1127—By Chappelle-Nadal.

An Act to amend chapter 168, RSMo, by adding thereto one new section relating to public service loan forgiveness.

SB 1128—By Riddle.

An Act to repeal section 167.181, RSMo, and to enact in lieu thereof one new section relating to the reporting of student immunizations.

SB 1129—By Riddle.

An Act to repeal section 452.375, RSMo, and to enact in lieu thereof one new section relating to custody of in vitro human embryos.

SB 1130—By Riddle.

An Act to repeal sections 386.370 and 620.010, RSMo, and to enact in lieu thereof three new sections relating to funding for the public service commission and the office of public counsel, with an effective date for certain sections.

SB 1131—By Sifton.

An Act to repeal section 572.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 572.010 as enacted by Referendum, Proposition A, November 3, 1992, RSMo, and to enact in lieu thereof fourteen new sections relating to the Missouri daily fantasy sports consumer protection act, with penalty provisions.

SB 1132—By Sifton.

An Act to repeal sections 386.510 and 386.515, RSMo, and to enact in lieu thereof two new sections relating to appeal procedures for cases originating with the public service commission.

SB 1133—By Sifton.

An Act to repeal section 337.503, RSMo, and to enact in lieu thereof one new section relating to discrimination between different types of mental health professionals.

SB 1134—By Brown.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for charitable contributions to Love INC.

SB 1135—By Cunningham.

An Act to repeal section 408.512, RSMo, and to enact in lieu thereof eight new sections relating to traditional installment loans, with penalty provisions.

SB 1136—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto two new sections relating to the promotion of medication safety.

SB 1137—By Sater.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a benevolent tax credit for certain organizations.

SB 1138—By Wallingford.

An Act to repeal section 332.321, RSMo, and to enact in lieu thereof one new section relating to grounds for disciplinary actions against dentists.

SB 1139—By Silvey and Holsman.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the John Jordan "Buck" O'Neil memorial bridge.

President Kinder assumed the Chair.

SB 1140—By Silvey.

An Act to repeal sections 227.290, 230.110, and 230.250, RSMo, and to enact in lieu thereof six new sections relating to supplementary state highway maintenance.

SB 1141—By Silvey.

An Act to repeal section 226.525, RSMo, and to enact in lieu thereof one new section relating to tourist-oriented directional highway signs.

SB 1142—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to qualifying life event for special enrollment period.

SJR 42—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article V of the Constitution of Missouri relating to judicial procedure.

SJR 43—Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, by adopting one new section relating to congressional term limits.

SENATE BILLS FOR PERFECTION

At the request of Senator Libla, **SB 623** was placed on the Informal Calendar.

At the request of Senator Onder, **SJR 39** was placed on the Informal Calendar.

SB 916 was placed on the Informal Calendar.

Senator Pearce moved that **SB 855**, with **SCS**, be taken up for perfection, which motion prevailed.
SCS for **SB 855**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 855**

An Act to repeal section 173.234, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid for families of military members, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SB 855** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 855** was declared perfected and ordered printed.

Senator Pearce moved that **SB 997** be taken up for perfection, which motion prevailed.

Senator Riddle assumed the Chair.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 997, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“173.234. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) “Board”, the coordinating board for higher education;

(2) “Books”, any books required for any course for which tuition was paid by a grant awarded under this section;

(3) “Eligible student”, the natural, adopted, or stepchild of a qualifying military member, who is less than twenty-five years of age and who was a dependent of a qualifying military member at the time of death or injury **or within five years subsequent to the injury**, or the spouse of a qualifying military member which was the spouse of a veteran at the time of death or injury **or within five years subsequent to the injury**;

(4) “Grant”, the veteran’s survivors grant as established in this section;

(5) “Institution of postsecondary education”, any approved Missouri public institution of postsecondary education, as defined in subdivision (3) of section 173.1102;

(6) “Qualifying military member”, any member of the military of the United States, whether active duty, reserve, or National Guard, who served in the military after September 11, 2001, during time of war and

for whom the following criteria apply:

(a) A veteran was a Missouri resident when first entering the military service or at the time of death or injury;

(b) A veteran died or was injured as a result of combat action or a veteran's death or injury was certified by the Department of Veterans' Affairs medical authority to be attributable to an illness or accident that occurred while serving in combat, or became eighty percent disabled as a result of injuries or accidents sustained in combat action after September 11, 2001; and

(c) "Combat veteran", a Missouri resident who is discharged for active duty service having served since September 11, 2001, and received a DD214 in a geographic area entitled to receive combat pay tax exclusion exemption, hazardous duty pay, or imminent danger pay, or hostile fire pay;

(7) "Survivor", an eligible student of a qualifying military member;

(8) "Tuition", any tuition or incidental fee, or both, charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state. The tuition grant shall not exceed the amount of tuition charged a Missouri resident at the University of Missouri-Columbia for attendance.

2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall award annually up to twenty-five grants to survivors of qualifying military members to attend institutions of postsecondary education in this state, which shall continue to be awarded annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade point average of at least two and one-half on a four-point scale, or its equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board may petition the general assembly to expand the quota. If the quota is not expanded, then the eligibility of survivors on the waiting list shall be extended.

3. A survivor may receive a grant under this section only so long as the survivor is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a survivor receive a grant beyond the completion of the first baccalaureate degree, regardless of age.

4. The coordinating board for higher education shall:

(1) Promulgate all necessary rules and regulations for the implementation of this section; and

(2) Provide the forms and determine the procedures necessary for a survivor to apply for and receive a grant under this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

6. In order to be eligible to receive a grant under this section, a survivor shall be certified as eligible by the Missouri veterans' commission.

7. A survivor who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education, and who is selected to receive a grant under

this section, shall receive the following:

(1) An amount not to exceed the actual tuition charged at the approved institution of postsecondary education where the survivor is enrolled or accepted for enrollment;

(2) An allowance of up to two thousand dollars per semester for room and board; and

(3) The actual cost of books, up to a maximum of five hundred dollars per semester.

8. A survivor who is a recipient of a grant may transfer from one approved public institution of postsecondary education to another without losing his or her entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time withdraws from the institution of postsecondary education so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, room and board, books, or other charges, the institution shall pay the portion of the refund to which he or she is entitled attributable to the grant for that semester or similar grading period to the board.

9. If a survivor is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible survivor.

10. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

11. The benefits conferred by this section shall be available to any academically eligible student of a qualifying military member. Surviving children who are eligible shall be permitted to apply for full benefits conferred by this section until they reach twenty-five years of age.

12. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall [sunset automatically six years after August 28, 2008] **be reauthorized as of the effective date of this act and shall expire on August 28, 2020**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, page 6, section 173.2520, line 17, by inserting immediately after said line the following:

“Section B. Because of the importance of providing educational assistance to members of the military and their families, the repeal and reenactment of section 173.234 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 173.234 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Pearce, **SB 997**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 586** and **SB 651**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 586** and **651**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 586 and 651

An Act to repeal sections 163.011 and 163.018, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education, with an emergency clause.

Was taken up.

Senator Wasson moved that **SCS** for **SBs 586** and **651** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SBs 586** and **651** was declared perfected and ordered printed.

Senator Sater moved that **SB 800**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 800**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 800

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the meet in Missouri act.

Was taken up.

Senator Sater moved that **SCS** for **SB 800** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 800, Page 4, Section 620.1620, Lines 123-131, by striking all of said lines and inserting in lieu thereof the following: “**for deposit into the fund. If the actual attendance figure for the major convention is less than twenty-five percent of the projected total attendance for the convention as provided in the major convention plan, the commission shall refund an amount equal to the full amount of the grant disbursed under this section to the state treasurer, if the actual attendance figure for the major convention is equal to or less than eighty-five percent and greater than or equal to twenty-five percent of the projected total attendance for the convention as provided in the major convention plan, the commission shall refund a portion of the grant received under this section equal to the proportion of the actual attendance figure to the projected attendance figure rounded to the nearest dollar and refund the remaining to the state treasurer, if the actual attendance figure for the major convention is greater than eighty-five percent of the projected total attendance for the convention as provided in the major convention plan, the commission shall keep the entire grant amount received under this section unless otherwise provided by this section.**”.

Senator Schatz moved that the above amendment be adopted.

Senator Onder assumed the Chair.

Senator Keaveny offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 800, Page 1, Line 21, by inserting after the word “section.” the following:

“The provisions of this subsection shall not apply in cases where attendance at the convention is adversely affected by a substantial inclement weather-related event.”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 2** to **SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 800, Page 1, Line 21, by inserting after the word “section.” the following:

“The provisions of this subsection shall not apply in cases where attendance at the convention is adversely affected by a man-made disaster including, but not limited to an uprising or other civil unrest.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 800, Page 4, Section 620.1620, Line 108, by striking the word “that” and inserting in lieu thereof the following:

“in the upcoming fiscal”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 800, Page 1, In the Title, Lines 2-3, by striking the words “the meet in Missouri act” and inserting in lieu thereof the following:

“incentives to attract major out-of-state conventions to Missouri”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SCS** for **SB 800**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 800**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 950**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 586** and **651** and **SCS** for **SB 855**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 1979**, as amended. Representatives: Rowden, Barnes, Alferman, McCann Beatty and Mitten.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 1983**, as amended. Representatives: Dogan, Barnes, Rowden, Mitten and McCann Beatty.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 855** and **SCS** for **SBs 586** and **651** to the Committee on Governmental Accountability and Fiscal Oversight.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1143—By Romine.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to ratemaking by the public service commission.

SB 1144—By Brown.

An Act to repeal sections 536.025, 536.200, and 536.205, RSMo, and to enact in lieu thereof three new sections relating to emergency rules.

SB 1145—By Nasheed.

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, section 566.203 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.203 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 566.206 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 566.206 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, and to enact in lieu thereof eleven new sections relating to juveniles involved in certain crimes, with existing penalty provisions.

SB 1146—By Nasheed.

An Act to repeal section 169.471, RSMo, and to enact in lieu thereof one new section relating to the public school retirement system of the city of St. Louis.

SB 1147—By Riddle.

An Act to repeal section 348.436, RSMo, and to enact in lieu thereof one new section relating to agricultural tax credits.

SB 1148—By Schatz.

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

SB 1149—By Chappelle-Nadal.

An Act to amend chapter 441, RSMo, by adding thereto one new section relating to the disclosure of information on radon hazards to buyers of residential real property.

SB 1150—By Pearce.

An Act to amend chapter 230, RSMo, by adding thereto one new section relating to township road districts.

SB 1151—By Schaaf.

An Act to repeal sections 407.825 and 407.826, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle franchise practices.

HOUSE BILLS ON THIRD READING**HB 2203**, introduced by Representative Barnes, with **SCS**, entitled:

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to paid political consultants.

Was taken up by Senator Kehoe.

SCS for **HB 2203**, entitled:**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2203**

An Act to repeal section 130.034, RSMo, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof three new sections relating to the expenditure of campaign committee funds.

Was taken up.

Senator Kehoe moved that **SCS** for **HB 2203** be adopted.

At the request of Senator Kehoe, **HB 2203**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Silvey, **HB 2226** was placed on the Informal Calendar.

HB 1452, with **SCS** was placed on the Informal Calendar.

HCS for **HB 1891**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Was taken up by Senator Brown.

Senator Brown offered **SS** for **HCS** for **HB 1891**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1891

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Senator Brown moved that **SS** for **HCS** for **HB 1891** be adopted.

Senator Schmitt assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

Absent—Senators

Chappelle-Nadal Holsman Schaefer—3

Absent with leave—Senators—None

Vacancies—2

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

Absent—Senators

Holsman Libla Schaefer Schatz—4

Absent with leave—Senators—None

Vacancies—2

Senator Dixon assumed the Chair.

Senator Nasheed moved that **HCS** for **HB 1891**, with **SS**, lay on the table.

Senator Nasheed requested a roll call vote be taken on the above motion. She was joined in her request by Senators Keaveny, Curls, Schupp and Walsh.

The motion to lay **HCS** for **HB 1891**, with **SS**, on the table failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Munzlinger	Onder	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—22

Absent—Senators

Holsman	Libla	Parson—3
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Absent with leave—Senators—None

Vacancies—2

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1891, Page 1, Section 105.504, Line 5 of said page, by striking the word “public” and inserting in lieu thereof “**state**”; and further amend line 6, by striking the word “public” and inserting in lieu thereof “**state**”; and further amend line 7, by striking the second occurrence of the word “public” and inserting in lieu thereof “**state**”; and further amend line 9, by striking both occurrences of the word “public” and inserting in lieu thereof “**state**”; and further amend line 13, by striking both occurrences of the word “public” and inserting in lieu thereof “**state**”; and

Further amend said bill and section, Page 2, line 13 of said page, by striking “public” and inserting in lieu thereof the following: “**state**”; and further amend line 14 of said page, by striking “public” and inserting in lieu thereof the following: “**state**”; and

Further amend said bill and section, page 3, line 21 of said page, by striking the word “public” and inserting in lieu thereof “**state**”.

Senator Walsh moved that the above amendment be adopted.

Senator Riddle assumed the Chair.

Senator Walsh requested a roll call vote be taken on the adoption of **SA 1**. She was joined in her request by Senators Holsman, Keaveny, Schupp and Sifton.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Schupp	Sifton	Silvey
Walsh—8						

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Sater	Schaaf	Schaefer	Schatz	Schmitt	Wallingford	Wasson—21

Absent—Senators

Nasheed	Romine	Wieland—3
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Absent with leave—Senators—None

Vacancies—2

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1891, Page 2, Section 105.504, Line 28, by inserting immediately after the word “every” the following: “**public**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SS** for **HCS** for **HB 1891**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **HCS** for **HB 1891**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson—23					

NAYS—Senators

Curls	Holsman	Keaveny	Schupp	Sifton	Walsh	Wieland—7
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Absent—Senators

Nasheed	Romine—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 997** and **SCS** for **SB 800**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SB 997** and **SCS** for **SB 800** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1593, regarding the Fiftieth Wedding Anniversary of Jack and Paula Veraguth, Cosby, which was adopted.

Senator Kraus offered Senate Resolution No. 1594, regarding Eagle Scout Collin James Hansen, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1595, regarding Eagle Scout Nathaniel James Owens, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1596, regarding Eagle Scout Ben Carlyle-Ellebracht, Lee's Summit, which was adopted.

Senator Wallingford offered Senate Resolution No. 1597, regarding Kirstan Graviett, Cape Girardeau, which was adopted.

Senator Sater offered Senate Resolution No. 1598, regarding the Sixtieth Wedding Anniversary of Ray and Mary Farris, Rockaway Beach, which was adopted.

Senator Schaefer offered Senate Resolution No. 1599, regarding Shakira Cross, which was adopted.

Senator Kraus offered Senate Resolution No. 1600, regarding Eagle Scout Luke Erickson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1601, regarding Molly Williams, which was adopted.

Senator Kraus offered Senate Resolution No. 1602, regarding D.J. Brasfield-Thogerson, which was adopted.

Senator Schmitt offered Senate Resolution No. 1603, regarding Greg Van Mierlo, which was adopted.

Senator Schmitt offered Senate Resolution No. 1604, regarding Cory Buermann, which was adopted.

Senator Schmitt offered Senate Resolution No. 1605, regarding Victoria Giessing, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1606, regarding the Starbucks in Dierbergs Des Peres, which was adopted.

Senator Schupp offered Senate Resolution No. 1607, regarding Sarah Koo, which was adopted.

Senator Riddle offered Senate Resolution No. 1608, regarding the Fiftieth Wedding Anniversary of Lawrence “Rooster” and Carolyn Stuckenschneider, Martinsburg, which was adopted.

Senator Brown offered Senate Resolution No. 1609, regarding R. Eddie Wilson, Salem, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Parson introduced to the Senate, Sheriff Kevin Bond and Detective Sergeant Tollie Rowe, Pettis County.

Senator Parson introduced to the Senate, Mona Coleman, Bolivar.

Senator Schaaf introduced to the Senate, Dr. Steven Brushwood, Gower.

Senator Nasheed introduced to the Senate, Dr. Kelvin Adams and Richard Gaines, St. Louis Public School District.

Senator Libla introduced to the Senate, Roger Wheeler, Sr., Bennye Wheeler and Diane Risner, Kennett.

Senator Holsman introduced to the Senate, his wife, Robyn, their son, Grant, and students from Red Bridge Elementary School; and Grant was made an honorary page.

Senator Richard introduced to the Senate, Destiny George, Autumn Achey and Hannah Crouch, Joplin; Ingrid Weaver, Liberty; Tori Goostree, Rocky Comfort; Rachel Lacey, Hallie Mitchell and Audrey Shockley, Exeter; and Ji-Sung Lee, Dharti Patel, Moy Zhong and Emily Oba, Columbia.

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Jon Patterson, Lee’s Summit.

Senator Riddle introduced to the Senate, Kerry Klump and members of the Troy Chamber of Commerce.

Senator Onder introduced to the Senate, Jack Elking, Anna Fernandez, Abby Fink, Ryan McGraw, Justin Kehoe, Jack Deters, Samantha Slaid, Ryan Monahan, Anna Kostecki, Maggie O’Toole, Bridget Morris, Graycen Hollowell, Garrett Willie, Zach Zoellner, and students of Immaculate Conception School, Dardenne Prairie.

Senator Schmitt introduced to the Senate, Gus Hattrich, Webster Groves.

On behalf of Senator Curls and himself, Senator Holsman introduced to the Senate, representatives of the Kansas City School District.

Senator Kehoe introduced to the Senate, Staff Sergeant Fred Marsh, and his son Nathaniel, Eugene.

On behalf of Senator Pearce, the President introduced to the Senate, Scott and Sarah Schmidt, Waverly.

Senator Sifton introduced to the Senate, members of UFCW Local 655, St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SECOND DAY–WEDNESDAY, MARCH 2, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1100-Silvey and Holsman
SB 1071-Hegeman	SB 1101-Silvey
SB 1072-Hegeman	SB 1102-Silvey
SB 1073-Brown	SB 1103-Schaefer
SB 1074-Schmitt	SB 1104-Schaefer
SB 1075-Wallingford	SB 1105-Schaefer
SB 1076-Parson	SB 1106-Schaefer
SB 1077-Parson	SB 1107-Riddle
SB 1078-Parson	SB 1108-Curls
SB 1079-Riddle	SB 1109-Hegeman
SB 1080-Schaefer	SB 1110-Brown
SB 1081-Schaefer	SB 1111-Brown
SB 1082-Cunningham	SB 1112-Richard
SB 1083-Wallingford	SB 1113-Schaaf
SB 1084-Pearce	SB 1114-Wallingford
SB 1085-Pearce	SB 1115-Emery
SB 1086-Holsman	SB 1116-Wasson
SB 1087-Romine, et al	SB 1117-Wasson
SB 1088-Schmitt	SB 1118-Schaaf
SB 1089-Onder	SB 1119-Pearce
SB 1090-Hegeman	SB 1120-Hegeman, et al
SB 1091-Riddle	SB 1121-Onder
SB 1092-Riddle	SB 1122-Schupp
SB 1093-Romine	SB 1123-Schupp
SB 1094-Kehoe	SB 1124-Brown
SB 1095-Wallingford	SB 1125-Chappelle-Nadal
SB 1096-Dixon and Keaveny	SB 1126-Chappelle-Nadal
SB 1097-Dixon	SB 1127-Chappelle-Nadal
SB 1098-Dixon	SB 1128-Riddle
SB 1099-Dixon	SB 1129-Riddle

SB 1130-Riddle
 SB 1131-Sifton
 SB 1132-Sifton
 SB 1133-Sifton
 SB 1134-Brown
 SB 1135-Cunningham
 SB 1136-Sater
 SB 1137-Sater
 SB 1138-Wallingford
 SB 1139-Silvey and Holsman
 SB 1140-Silvey
 SB 1141-Silvey
 SB 1142-Wieland

SB 1143-Romine
 SB 1144-Brown
 SB 1145-Nasheed
 SB 1146-Nasheed
 SB 1147-Riddle
 SB 1148-Schatz
 SB 1149-Chappelle-Nadal
 SB 1150-Pearce
 SB 1151-Schaaf
 SJR 41-Schmitt
 SJR 42-Emery
 SJR 43-Chappelle-Nadal

HOUSE BILLS ON SECOND READING

HCS for HB 1477
 HCS for HB 1474
 HCS for HB 1729
 HB 1414-Houghton
 HB 1588-Franklin
 HB 1728-Reiboldt
 HB 1565-Engler
 HCS for HB 1433
 HCS for HB 2155
 HCS for HB 1387
 HCS for HB 1612
 HCS for HB 1817
 HCS for HB 1964

HCS for HBs 1780 & 1420
 HB 1392-King
 HCS for HB 1480
 HCS for HB 1850
 HCS for HB 1419
 HCS for HB 1613
 HB 1721-Dugger
 HCS for HB 1449
 HCS for HB 1601
 HB 1827-McGaugh
 HCS for HB 1904
 HB 2111-Eggleston

THIRD READING OF SENATE BILLS

1. SB 783-Onder (In Fiscal Oversight)
2. SS for SB 732-Munzlinger
(In Fiscal Oversight)
3. SB 641-Schatz (In Fiscal Oversight)
4. SCS for SB 794-Wallingford
(In Fiscal Oversight)
5. SCS for SB 814-Wallingford, et al
(In Fiscal Oversight)
6. SB 700-Schatz (In Fiscal Oversight)
7. SB 875-Schaefer (In Fiscal Oversight)
8. SS for SB 799-Kraus (In Fiscal Oversight)

9. SB 879-Brown (In Fiscal Oversight)
10. SCS for SBs 688 & 854-Romine
(In Fiscal Oversight)
11. SCS for SB 804-Onder
12. SCS for SBs 586 & 651-Wasson
(In Fiscal Oversight)
13. SCS for SB 855-Pearce
(In Fiscal Oversight)
14. SB 997-Pearce (In Fiscal Oversight)
15. SCS for SB 800-Sater, et al
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|------------------------------------|
| 1. SB 676-Sater | 16. SB 618-Wallingford, with SCS |
| 2. SB 867-Sater | 17. SB 681-Cunningham |
| 3. SB 937-Wallingford | 18. SB 702-Munzlinger |
| 4. SB 861-Wieland, with SCS | 19. SB 1025-Kraus |
| 5. SB 785-Schaefer, with SCS | 20. SB 856-Silvey, with SCS |
| 6. SB 980-Keaveny, with SCS | 21. SB 988-Kraus |
| 7. SB 680-Emery | 22. SB 973-Wasson, with SCS |
| 8. SB 844-Parson | 23. SB 921-Riddle, with SCS |
| 9. SB 772-Onder, with SCS | 24. SB 801-Sater, with SCS |
| 10. SB 698-Hegeman, with SCS | 25. SB 964-Wallingford, with SCS |
| 11. SB 786-Kraus | 26. SB 986-Brown, with SCS |
| 12. SB 624-Libla | 27. SB 1002-Hegeman |
| 13. SB 590-Dixon, with SCS | 28. SB 898-Cunningham |
| 14. SBs 661, 726 & 741-Dixon, with SCS | 29. SBs 789 & 595-Wasson, with SCS |
| 15. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 30. SB 659-Wasson |
| | 31. SB 575-Schaefer, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |
|---|---|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 816-Wieland, et al |
| SB 612-Cunningham | SB 825-Munzlinger, with SA 1 (pending) |
| SB 619-Wallingford | SB 916-Schaefer |
| SB 623-Libla | SB 919-Schmitt, with SCS, SS for SCS, SA 2
& SSA 1 for SA 2 (pending) |
| SB 644-Onder, with SCS | SJR 39-Onder and Emery |
| SB 706-Dixon | |
| SB 802-Sater | |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2203-Barnes, with SCS (pending) (Kehoe) |
| HB 1575-Rowden, with SCA 1 (Onder) | HB 2226-Barnes (Silvey) |
| HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending) | |

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 897-Hegeman
SB 888-Walsh
SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

RESOLUTIONS

To be Referred

SCR 66-Schaefer
SCR 67-Parson

SCR 68-Schupp

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SECOND DAY—WEDNESDAY, MARCH 2, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You are to pray as everything depends on God and work as if everything depends on you.” (Martin Luther)

Heavenly Father, we begin this day in prayer and gather as the full body again giving You praise and thanks for this opportunity to be here to serve those who elected us. We recognize our dependence on Your guidance and mercy so our efforts and work produce the fruits You require. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 1610, regarding Alex Hall, which was adopted.

Senator Schaaf offered Senate Resolution No. 1611, regarding Ruth Edmondson, which was adopted.

REFERRALS

President Pro Tem Richard referred **SCR 66**, **SCR 67** and **SCR 68** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 919**, with **SCS**, **SS** for **SCS**, **SA 2** and **SSA 1** for **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SSA 1 for **SA 2** was again taken up.

Senator Schmitt moved that the above substitute amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 919, Page 6, Section 311.198, Line 14 of said page, by inserting immediately after the word “duration” the following: “**and shall not contain any provision allowing for or requiring the automatic renewal of the lease or sublease**”.

Senator Pearce assumed the Chair.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SS** for **SCS** for **SB 919**, as amended, be adopted and requested a roll call vote be taken. He was joined in his request by Senators Emery, Hegeman, Nasheed and Schaefer.

SS for **SCS** for **SB 919**, as amended, was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Kraus	Munzlinger
Nasheed	Onder	Romine	Sater	Schaefer	Schatz	Schmitt
Sifton	Walsh	Wieland—17				

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Libla	Parson
Pearce	Richard	Riddle	Schaaf	Schupp	Silvey	Wallingford
Wasson—15						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **SS** for **SCS** for **SB 919**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 676** be taken up for perfection, which motion prevailed.

Senator Dixon assumed the Chair.

On motion of Senator Sater, **SB 676** was declared perfected and ordered printed.

Senator Sater moved that **SB 867** be taken up for perfection, which motion prevailed.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 867, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to road districts.”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“137.565. Whenever ten or more voters residing in **or owners of land in** any general or special road district in any county in this state shall petition the county commission of the county in which such district is located, asking that such commission submit the question in such district for the purpose of voting for or against the levy of the tax provided for in the second sentence of the first paragraph of Section 12 of Article X of the Constitution of Missouri, it shall be the duty of the county commission, upon the filing of such petition, to submit the question. The petition so filed shall set out the duration of the tax to be levied in a period of one, two, three, or four years and the ballot to be used for voting shall specify the number of years duration of the tax levy, but in no event shall the duration of the tax levy be for a period of more than four years. Such submission shall be made by an order entered of record setting forth the date and the rate of tax the commission will levy, which rate shall not exceed thirty-five cents on the hundred dollars assessed valuation on all taxable real and tangible personal property in the district.

233.180. 1. At the term of the county commission in which such order is made, or at any subsequent term thereafter, the county commission shall appoint three commissioners of the special road district, who shall be voters of the district and owners of land within the district, who shall hold their office until the second Tuesday in April thereafter. The voters of the district shall elect three commissioners of the special road district, one of whom shall serve one year, one for two years and one for three years, and on municipal election days each year thereafter they shall elect a commissioner of the special road district to take the place of the one whose term is about to expire, who shall serve three years.

2. No person shall be elected or appointed commissioner of the special road district who is not a voter of **the district or a registered voter from the county in which the district is located and an owner of land in** the district. Any vacancy caused by resignation, death, removal from the district of a commissioner of the special road district or sale of all land owned by [him] **the commissioner** in the district shall be filled for the unexpired term by appointment by the remaining commissioners of the special road district. All commissioners of the special road district shall qualify by taking, subscribing and filing with the county clerk the oath prescribed by the constitution of this state, and that they will faithfully, honestly and impartially discharge their duties as commissioners of the special road district according to law.

3. If for any reason the board of commissioners of the special road district herein mentioned shall fail to fill a vacancy or vacancies caused by the expiration of the term of any one or more of the commissioners of the special road district, then the county commission is hereby authorized and required to appoint a

person to fill the vacancy.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

On motion of Senator Sater, **SB 867**, as amended, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 937** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 937**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 937

An Act to repeal section 221.407, RSMo, and to enact in lieu thereof one new section relating to a sales tax for regional jail districts.

Senator Wallingford moved that **SS** for **SB 937** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SB 937** was declared perfected and ordered printed.

Senator Wieland moved that **SB 861**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 861**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 861

An Act to amend chapters 68 and 143, RSMo, by adding thereto five new sections relating to transportation facilities.

Was taken up.

Senator Wieland moved that **SCS** for **SB 861** be adopted, which motion prevailed.

On motion of Senator Wieland, **SCS** for **SB 861** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 676**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Hegeman.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 785**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 785**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 785

An Act to amend chapter 436, RSMo, by adding thereto ten new sections relating to the civil litigation funding act.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 785** be adopted.

Senator Schaefer offered **SS** for **SCS** for **SB 785**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 785

An Act to amend chapter 436, RSMo, by adding thereto ten new sections relating to the civil litigation funding act.

Senator Schaefer moved that **SS** for **SCS** for **SB 785** be adopted.

Senator Romine offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 785, Page 6, Section 436.558, Lines 9-11 of said page, by striking all of said lines.

Senator Romine moved that the above amendment be adopted.

Senator Schaefer offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 785, Page 6, Section 436.558, Line 10 of said page, by striking “twenty-one” and inserting in lieu thereof: “**twenty-nine**”; and further amend line 13 of said page, by striking “thirty” and inserting in lieu thereof: “**thirty-six**”; and further amend line 15 of said page, by striking “thirty” and inserting in lieu thereof: “**thirty-six**”.

Senator Schaefer moved that the above substitute amendment be adopted.

Senator Dixon offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 785, Page 1, Lines 1-3, by striking all of said lines and inserting in lieu thereof the following: “Amend **SS/SCS/Senate Bill No. 785, Page 6, Section 436.558, Line 9**, of said page by inserting immediately after “charges” the following: “**or interest**”; and further amend lines 10-11, by

striking the following: “twenty-one percent of the funded amount annually” and inserting in lieu thereof the following: “**those allowed under section 408.505**”; and further amend line 13 of said page,”.

Senator Dixon moved that the above amendment be adopted.

Senator Holsman raised the point of order that **SA 1 to SSA 1 for SA 1** is out of order as it goes beyond the scope of the bill and further amends previously amended material in that other amendments would be locked out. The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 785**, with **SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1** and point of order (pending), back on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

LaRea Annette Griggs, 1213 Thompson Circle, Raymore, Cass County, Missouri 64083, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2017, and until her successor is duly appointed and qualified; vice, Michael Sparks, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Barbara J. Hayden, Republican, 20261 Highway EE, Sedalia, Pettis County, Missouri 65301, as a member of the State Fair Commission, for a term ending December 29, 2017, and until her successor is duly appointed and qualified; vice, Barbara Hayden, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Stephen F. Huss, 9712 Country Ridge Lane, Hillsboro, Jefferson County, Missouri 63050, as a member of the Mental Health Commission, for a term ending June 28, 2019, and until his successor is duly appointed and qualified; vice, Kenneth W. Dobbins, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Willis Jackson Magruder, Democrat, 20675 Willis Way, Kirksville, Adair County, Missouri 63501, as a member of the State Fair Commission, for a term ending December 29, 2016, and until his successor is duly appointed and qualified; vice, Willis Jackson Magruder, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Donald R. McQuitty, Democrat, 276 Bello Point Drive, Sunrise Beach, Camden County, Missouri 65079, as a member of the State Fair Commission, for a term ending December 29, 2019, and until his successor is duly appointed and qualified; vice, Donald R. McQuitty, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Lowell F. Mohler, Republican, 4054 Highway 179, Jefferson City, Cole County, Missouri 65109, as a member of the State Fair Commission, for a term ending December 29, 2017, and until his successor is duly appointed and qualified; vice, Lowell Mohler, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Harvey Richards, 4201 Culpeper Drive, Columbia, Boone County, Missouri 65202, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2018, and until his successor is duly appointed and qualified; vice, Donna R. Haley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Kevin C. Roberts, Democrat, 9977 Venita Lane, Hillsboro, Jefferson County, Missouri 63050, as a member of the State Fair Commission, for a term ending December 29, 2018, and until his successor is duly appointed and qualified; vice, Kevin Roberts, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Judith E. Sandbothe, 7011 Ketterman Lane, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2018, and until her successor is duly appointed and qualified; vice, Michael C. Rader, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rosella L. Schad, 12655 County Road 4037, Holts Summit, Callaway County, Missouri 65043, as a member of the Board of Geologist Registration, for a term ending April 11, 2017, and until her successor is duly appointed and qualified; vice, Joseph Gulino, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

Karl E. Wilson, 4525 Laclede #4, Saint Louis City, Missouri 63108, as a member of the Mental Health Commission, for a term ending June 28, 2018, and until his successor is duly appointed and qualified; vice, Karl E. Wilson, resigned.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 2, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Derek J. Wiseman, 6541 Murdoch Avenue, Saint Louis City, Missouri 63109, as a member of the Children's Trust Fund, for a term ending September 15, 2018, and until his successor is duly appointed and qualified; vice, Susan E. Block, term expired.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

President Pro Tem Richard referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SCR 58**.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 861**; **SS** for **SB 937**; **SS** for **SCS** for **SB 919**; and **SB 867**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 861** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1612, regarding Dr. and Mrs. Scott Goldstein, Anderson, which was adopted.

Senator Onder offered Senate Resolution No. 1613, regarding Brianna Farrell, which was adopted.

Senator Onder offered Senate Resolution No. 1614, regarding Jacob Beckmann, which was adopted.

Senator Onder offered Senate Resolution No. 1615, regarding Shelby Beasley, which was adopted.

Senator Onder offered Senate Resolution No. 1616, regarding Alicia Alexander, which was adopted.

Senator Onder offered Senate Resolution No. 1617, regarding Tyler Hoffmann, which was adopted.

Senator Onder offered Senate Resolution No. 1618, regarding Marcus Forrest, which was adopted.

Senator Onder offered Senate Resolution No. 1619, regarding Cameron Graham, which was adopted.

Senator Onder offered Senate Resolution No. 1620, regarding Brenden Bratsch, which was adopted.

Senator Onder offered Senate Resolution No. 1621, regarding Keenan Bross, which was adopted.

Senator Onder offered Senate Resolution No. 1622, regarding James Clemens, which was adopted.

Senator Kehoe offered Senate Resolution No. 1623, regarding Heartland Independent Living Center, Owensville, which was adopted.

Senator Kehoe offered Senate Resolution No. 1624, regarding Eagle Scout Curtis “Curt” Keller, Russellville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Taylor Bryant, Wicky Sleight and Wayne McReynolds, Saline County Extension.

Senator Holsman introduced to the Senate, Helen Logan Hunter, Grandview.

Senator Schaaf introduced to the Senate, Timothy Thompson and Rod Chapel, Kansas City; and Lauren McCubbin, Liberty.

Senator Sater introduced to the Senate, Janice Varner, Cassville.

Senator Riddle introduced to the Senate, Charlotte Bader, Montgomery County; Cassie Shultz, Pulaski County; Anna Roth, Perry County; and Frank Alford, Oregon County.

Senator Kehoe introduced to the Senate, Coaches Dawn Wuelling, Clay McDaniel, Shannon Nelson and Mike Wuelling; Ryliegh Long and Skyler Martin; and members of the Maries County R-II Archery Team.

Senator Parson introduced to the Senate, Velynda Cameron, Bolivar, and members of 4-H youth groups from Polk and Hickory Counties.

Senator Schupp introduced to the Senate, the Physician of the Day, Dr. Han Paik, Ballwin.

Senator Schupp introduced to the Senate, Sterling Waldman, Alexis Smith and Anna Rickard.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-THIRD DAY—THURSDAY, MARCH 3, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

SECOND READING OF SENATE BILLS

SB 1070-Romine	SB 1102-Silvey
SB 1071-Hegeman	SB 1103-Schaefer
SB 1072-Hegeman	SB 1104-Schaefer
SB 1073-Brown	SB 1105-Schaefer
SB 1074-Schmitt	SB 1106-Schaefer
SB 1075-Wallingford	SB 1107-Riddle
SB 1076-Parson	SB 1108-Curls
SB 1077-Parson	SB 1109-Hegeman
SB 1078-Parson	SB 1110-Brown
SB 1079-Riddle	SB 1111-Brown
SB 1080-Schaefer	SB 1112-Richard
SB 1081-Schaefer	SB 1113-Schaaf
SB 1082-Cunningham	SB 1114-Wallingford
SB 1083-Wallingford	SB 1115-Emery
SB 1084-Pearce	SB 1116-Wasson
SB 1085-Pearce	SB 1117-Wasson
SB 1086-Holsman	SB 1118-Schaaf
SB 1087-Romine, et al	SB 1119-Pearce
SB 1088-Schmitt	SB 1120-Hegeman, et al
SB 1089-Onder	SB 1121-Onder
SB 1090-Hegeman	SB 1122-Schupp
SB 1091-Riddle	SB 1123-Schupp
SB 1092-Riddle	SB 1124-Brown
SB 1093-Romine	SB 1125-Chappelle-Nadal
SB 1094-Kehoe	SB 1126-Chappelle-Nadal
SB 1095-Wallingford	SB 1127-Chappelle-Nadal
SB 1096-Dixon and Keaveny	SB 1128-Riddle
SB 1097-Dixon	SB 1129-Riddle
SB 1098-Dixon	SB 1130-Riddle
SB 1099-Dixon	SB 1131-Sifton
SB 1100-Silvey and Holsman	SB 1132-Sifton
SB 1101-Silvey	SB 1133-Sifton

SB 1134-Brown
 SB 1135-Cunningham
 SB 1136-Sater
 SB 1137-Sater
 SB 1138-Wallingford
 SB 1139-Silvey and Holsman
 SB 1140-Silvey
 SB 1141-Silvey
 SB 1142-Wieland
 SB 1143-Romine
 SB 1144-Brown

SB 1145-Nasheed
 SB 1146-Nasheed
 SB 1147-Riddle
 SB 1148-Schatz
 SB 1149-Chappelle-Nadal
 SB 1150-Pearce
 SB 1151-Schaaf
 SJR 41-Schmitt
 SJR 42-Emery
 SJR 43-Chappelle-Nadal

HOUSE BILLS ON SECOND READING

HCS for HB 1477
 HCS for HB 1474
 HCS for HB 1729
 HB 1414-Houghton
 HB 1588-Franklin
 HB 1728-Reiboldt
 HB 1565-Engler
 HCS for HB 1433
 HCS for HB 2155
 HCS for HB 1387
 HCS for HB 1612
 HCS for HB 1817
 HCS for HB 1964

HCS for HBs 1780 & 1420
 HB 1392-King
 HCS for HB 1480
 HCS for HB 1850
 HCS for HB 1419
 HCS for HB 1613
 HB 1721-Dugger
 HCS for HB 1449
 HCS for HB 1601
 HB 1827-McGaugh
 HCS for HB 1904
 HB 2111-Eggleston

THIRD READING OF SENATE BILLS

1. SB 783-Onder (In Fiscal Oversight)
2. SS for SB 732-Munzlinger
(In Fiscal Oversight)
3. SB 641-Schatz (In Fiscal Oversight)
4. SCS for SB 794-Wallingford
(In Fiscal Oversight)
5. SCS for SB 814-Wallingford, et al
(In Fiscal Oversight)
6. SB 700-Schatz (In Fiscal Oversight)
7. SB 875-Schaefer (In Fiscal Oversight)
8. SS for SB 799-Kraus (In Fiscal Oversight)
9. SB 879-Brown (In Fiscal Oversight)
10. SCS for SBs 688 & 854-Romine
(In Fiscal Oversight)

11. SCS for SB 804-Onder
12. SCS for SBs 586 & 651-Wasson
(In Fiscal Oversight)
13. SCS for SB 855-Pearce (In Fiscal Oversight)
14. SB 997-Pearce (In Fiscal Oversight)
15. SCS for SB 800-Sater, et al
(In Fiscal Oversight)
16. SB 676-Sater
17. SCS for SB 861-Wieland (In Fiscal Oversight)
18. SS for SB 937-Wallingford
19. SS for SCS for SB 919-Schmitt
20. SB 867-Sater

SENATE BILLS FOR PERFECTION

- | | |
|---|------------------------------------|
| 1. SB 980-Keaveny, with SCS | 14. SB 1025-Kraus |
| 2. SB 680-Emery | 15. SB 856-Silvey, with SCS |
| 3. SB 844-Parson | 16. SB 988-Kraus |
| 4. SB 772-Onder, with SCS | 17. SB 973-Wasson, with SCS |
| 5. SB 698-Hegeman, with SCS | 18. SB 921-Riddle, with SCS |
| 6. SB 786-Kraus | 19. SB 801-Sater, with SCS |
| 7. SB 624-Libla | 20. SB 964-Wallingford, with SCS |
| 8. SB 590-Dixon, with SCS | 21. SB 986-Brown, with SCS |
| 9. SBs 661, 726 & 741-Dixon, with SCS | 22. SB 1002-Hegeman |
| 10. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 23. SB 898-Cunningham |
| 11. SB 618-Wallingford, with SCS | 24. SBs 789 & 595-Wasson, with SCS |
| 12. SB 681-Cunningham | 25. SB 659-Wasson |
| 13. SB 702-Munzlinger | 26. SB 575-Schaefer, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HJR 53-Dugger (Kraus) (In Fiscal Oversight) |
|---|---|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | SJR 39-Onder and Emery |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS, SA 1,
SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 &
point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2203-Barnes, with SCS (pending)
(Kehoe) |
| HB 1575-Rowden, with SCA 1 (Onder) | HB 2226-Barnes (Silvey) |
| HB 2166-Alferman (Onder), with SCS & SS
for SCS (pending) | |

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 897-Hegeman
SB 888-Walsh
SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-THIRD DAY—THURSDAY, MARCH 3, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The God of peace be with you all.” (Romans 15:33)

Dear God it has been another interesting week and we are grateful for the meaningful work we have been able to complete. We are grateful for those You have placed in our lives that make them rich and fuller. We are grateful for the opportunity to share love with those You have given us to love. And Lord continue to open our hearts and minds to the needs of those who take care of the various tasks at home while we are here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri and U.S. Army National Guard were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1625, regarding Eagle Scout Josh Gale, Liberty, which was adopted.

Senator Wasson offered Senate Resolution No. 1626, regarding the Sixty-fifth Wedding Anniversary of Bonnie and Pletcher Rogers, Sparta, which was adopted.

Senator Richard offered Senate Resolution No. 1627, regarding Keller Williams Realty, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS for SBs 688 and 854; SB 700; SS for SB 732; SCS for SB 794; SS for SB 799; SCS for SB 814; SB 875; SB 879; and SCS for SBs 586 and 651** begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for SB 732, introduced by Senator Munzlinger, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 732**

An Act to repeal sections 44.010 and 44.032, RSMo, and to enact in lieu thereof three new sections relating to emergency responses.

Was taken up.

On motion of Senator Munzlinger, **SS for SB 732** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Walsh
Wasson	Wieland—30					

NAYS—Senators—None**Absent—Senators**

Nasheed Wallingford—2

Absent with leave—Senators—None**Vacancies—2**

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 794, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 794

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption on parts and accessories for medical equipment.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS for SB 794** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 814, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 814

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax deductions for active duty military personnel.

Was taken up by Senator Wallingford.

Under the provisions of Senate Rule 91, Senator Kraus was excused from voting on the third reading of the bill.

On motion of Senator Wallingford, **SCS** for **SB 814** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Kraus—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 641**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SB 641, introduced by Senator Schatz, entitled:

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a deduction for compensation payments for agricultural losses.

Was taken up.

On motion of Senator Schatz, **SB 641** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Chappelle-Nadal Schaaf Schupp—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 700, introduced by Senator Schatz, entitled:

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation premium rates.

Was taken up.

On motion of Senator Schatz, **SB 700** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 875, introduced by Senator Schaefer, entitled:

An Act to repeal sections 338.056, 338.059, and 338.100, RSMo, and to enact in lieu thereof four new sections relating to interchangeable biological products.

Was taken up.

On motion of Senator Schaefer, **SB 875** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Silvey assumed the Chair.

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SB 799**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 799

An Act to repeal sections 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to business fees, with an existing penalty provision.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 799** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 879, introduced by Senator Brown, entitled:

An Act to repeal section 620.2005, RSMo, and to enact in lieu thereof two new sections relating to the Missouri works program.

Was taken up.

On motion of Senator Brown, **SB 879** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SBs 688** and **854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 688 AND 854

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SBs 688** and **854** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 804**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 804

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, and to enact in lieu thereof five new sections relating to sexual trafficking, with penalty provisions.

Was taken up by Senator Onder.

On motion of Senator Onder, **SCS** for **SB 804** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SBs 586** and **651**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 586 and 651**

An Act to repeal sections 163.011 and 163.018, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education, with an emergency clause.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SBs 586** and **651** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 676, introduced by Senator Sater, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

Was taken up.

On motion of Senator Sater, **SB 676** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 937**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 937

An Act to repeal section 221.407, RSMo, and to enact in lieu thereof one new section relating to a sales tax for regional jail districts.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS** for **SB 937** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Kraus Schaaf Schupp—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 919, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 919

An Act to repeal sections 311.090, 311.195, 311.200, 311.205, 311.220, 311.328, and 311.665, RSMo, and to enact in lieu thereof ten new sections relating to intoxicating liquor, with an effective date for a certain section and penalty provisions.

Was taken up.

On motion of Senator Schmitt, **SS for SCS for SB 919** was read the 3rd time and passed by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Keaveny	Kraus	Libla	Munzlinger
Nasheed	Onder	Parson	Romine	Sater	Schaefer	Schatz
Schmitt	Sifton	Walsh	Wieland—18			

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Kehoe	Pearce
Richard	Riddle	Schaaf	Schupp	Silvey	Wallingford	Wasson—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 867, introduced by Senator Sater, entitled:

An Act to repeal sections 137.565, 233.180, and 233.295, RSMo, and to enact in lieu thereof three new sections relating to road districts.

Was taken up.

On motion of Senator Sater, **SB 867** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Pearce—1

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HB 2203**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HB 2203** was again taken up.

Senator Kehoe offered **SS** for **SCS** for **HB 2203**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2203

An Act to repeal section 130.034, RSMo and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof four new sections relating to the expenditure of campaign committee funds.

Senator Kehoe moved that **SS** for **SCS** for **HB 2203** be adopted.

Senator Riddle assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 12, Section 130.097, Line 5 of said page, by inserting immediately after “130.097.” the following: **“1.”**; and further amend line 11 of said page, by inserting immediately after said line the following:

“2. No candidate or public official shall transfer funds from any candidate committee, exploratory committee, debt service committee, or continuing committee under his or her control to any such committee controlled by another candidate or public official.”

Senator Schaaf moved that the above amendment be adopted.

Senator Sifton offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Lines 8-9, by striking all of said lines and inserting in lieu thereof the following: **“any other committee.”**.

Senator Sifton moved that the above amendment be adopted, which motion failed on a standing division vote.

SA 1 was again taken up.

Senator Kehoe offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 12, Section 130.097, Line 5 of said page, by inserting immediately after “130.097.” the following: **“1.”**; and further amend line 11 of said page, by inserting immediately after said line the following:

“2. No person who registers as a lobbyist shall transfer funds from any candidate committee, exploratory committee, debt service committee, or continuing committee under his or her control to any such committee controlled by a candidate or public official.”

Senator Kehoe moved that the above substitute amendment be adopted.

Senator Kehoe offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Line 1, by striking all of said line and inserting in lieu thereof the following: “Amend SS/SCS/House Bill No. 2203, Page 1, Section 105.453, line 16 by striking the words: “candidate committee or”; and further amend said bill and section, page 2, lines 4-5 by striking the words ““candidate committee”,”; and

Further amend said bill, page 12, section 130.097, line 5”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 2** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Line 5, by inserting after the word “lobbyist” the following: “, **as defined in section 105.470,**”; and further amend line 9 by inserting after the word “official” the following: “, **as defined in section 105.470**”.

At the request of Senator Kehoe the above amendment was withdrawn.

Senator Sifton offered **SA 3** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Section 130.097, Lines 8-9, by striking said lines and inserting in lieu thereof the following: “control to any other committee”.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Kehoe, **HB 2203**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 3** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** as amended for **HCS** for **HB 1891** and has taken up and passed **SS** for **HCS** for **HB 1891**.

President Pro Tem Richard assume the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **HCS** for **HB 1891**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Riddle assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HB 2203**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1**, and **SA 3** to **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 3 to **SSA 1** for **SA 1** was again taken up.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Kehoe offered **SA 4** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 4 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Line 5, by inserting after the word “lobbyist” the following: “, **as defined in section 105.470,**”; and further amend line 9 by inserting after the word “official” the following: “, **as defined in section 105.470**”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

SSA 1 for **SA 1**, as amended, was again taken up.

Senator Kehoe moved that **SSA 1** for **SA 1**, as amended, be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 12, Section 130.097, Line 11, by inserting after all of said line the following:

“Section 1. If any provision of this act or the application thereof to anyone or to any circumstance is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances shall not be affected thereby.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 12, Section 130.034, Line 4, by inserting after all of said line the following:

“130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a

reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each

candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and continuing committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a continuing committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. Every candidate and candidate committee shall report as part of the disclosure reports required under this section all contributions and expenditures made by any organization that is exempt from taxation under 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986, as amended, for which such candidate, candidate committee, or any person employed by or under contract with such candidate or candidate committee, exerts control over the disbursement of funds from such an organization.

5. The words “consulting or consulting services, fees, or expenses”, or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

[130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been

received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term “candidate” in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a political action committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words “consulting or consulting services, fees, or expenses”, or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.]]”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Schaefer offered **SA 1 to SA 3**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 6, Section 130.041, Line 18, by inserting immediately after the first use of the word “candidate” the following: “**or the candidate's spouse**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

SA 3, as amended, was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Section 105.453, Line 14, by inserting immediately after “501(c)(3)” the following: “**or Section 501(c)(4)**”.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Senator Schupp offered **SA 1 to SA 4**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 2203, Page 1, Line 1, by striking the following: “105.453, Line 14” and inserting in lieu thereof the following: “Section **Title**, Line 6, by inserting after the word “funds” the following: “, with an effective date for certain sections”; and

Further amend said amendment, line 3, by inserting at the end of said line the following:

“; and

Further amend said bill and section, page 2, line 6 by inserting after all of said line the following:

“[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Campaign committee”, a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage

of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual’s political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person’s candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person’s candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person’s learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) “Candidate committee”, a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person’s candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate’s part;

(6) “Cash”, currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) “Check”, a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) “Closing date”, the date through which a statement or report is required to be complete;

(9) “Committee”, a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual’s own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or

candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(12) "County", any one of the several counties of this state or the city of St. Louis;

(13) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination

or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4)

of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(19) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(22) "Political action committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any

statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) “Political party committee”, a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual’s political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person’s candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person’s candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person’s learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) “Cash”, currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) “Check”, a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) “Closing date”, the date through which a statement or report is required to be complete;

(7) “Committee”, a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual’s own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the

qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot

measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) “Contribution” does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) “County”, any one of the several counties of this state or the city of St. Louis;

(14) **“Covered communication”:**

(a) Paid advertisements broadcast over radio, television, cable, or satellite in this state;

(b) Paid placement of content on the internet or other electronic communication network targeted to voters in this state;

(c) Paid advertisements published in a periodical or on a billboard in this state;

(d) Paid telephone communications to five hundred or more households in this state;

(e) Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and

(f) Printed materials exceeding two thousand copies distributed in this state;

(15) “Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(16) “Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

[(15)] (17) “Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party’s candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(18) “Electioneering activities”:

(a) Any covered communication that influences or attempts to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure; and

(b) Any covered communication made within forty-five days of a primary election or ninety days of a general election that:

a. Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or

b. Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat;

[(16)] (19) “Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate’s own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. “Expenditure” includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) “Expenditure” does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section

130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

[(17)] **(20)** "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office.

Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

[(18)] **(21)** "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

[(19)] **(22)** "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

[(20)] **(23)** "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

[(21)] **(24)** "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

[(22)] **(25)** "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

[(23)] (26) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

[(24)] (27) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

[(25)] (28) “Political party committee”, a state, district, county, city, or area committee of a political party, as defined in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

[(26)] (29) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

[(27)] (30) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

[(28)] (31) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.”; and

Further amend said bill, page 12, section 130.034, line 4 by inserting after all of said line the following:

“130.062. 1. By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the ethics commission:

(1) All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;

(2) All contributions, including in-kind contributions, to a committee in the previous calendar year;

(3) The percentage of their total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;

(4) The percentage of their total expenditures made from the previous calendar year for contributions including in-kind contributions to a committee during the previous calendar year;

(5) The name and address of each person or entity making any single donation over one thousand dollars, and each person or entity who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year; and

(6) The date and amount of each donation over one thousand dollars, or of any donation from a person who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record which the ethics commission shall subsequently make available to the public.

2. Any organization required to file disclosure reports under subsection 1 of this section shall make such disclosures electronically.

3. (1) Any covered organization that:

(a) Makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate such expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information; or

(b) Makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the ethics commission within forty-eight hours of making such contribution. The report shall specifically state the contribution amount and the committee to which the contribution was made.

(2) Every electronic disclosure report required under this subsection shall include the date and amount of each donation, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each donor who has donated over five thousand dollars to the covered organization in the previous twelve month period.

(3) The ethics commission shall assess fees on the board of directors of a covered organization in the same manner as provided in section 105.963 for failure to file reports required by this section.”; and

Further amend said bill and page, section 130.097, line 11, by inserting after all of said line the following:

“Section B. The repeal of section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, the repeal and reenactment of section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and the enactment of section 130.062, of section A of this act shall become effective January 1, 2017.”; and

Further amend the title and enacting clause accordingly.”.

Senator Schupp moved that the above amendment be adopted and request a roll call vote be taken. She was joined in her request by Senators Curls, Holsman, Keaveny and Sifton.

President Pro Tem Richard assumed the Chair.

Senator Onder assumed the Chair.

SA 1 to SA 4 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Parson	Pearce
Romine	Schaaf	Schaefer	Schupp	Sifton	Silvey	Walsh

Wieland—15

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Richard	Riddle	Sater	Schatz	Wallingford

Wasson—15

Absent—Senators

Nasheed Schmitt—2

Absent with leave—Senators—None

Vacancies—2

SA 4 was again taken up.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **SCS** for **HB 2203**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SCS** for **HB 2203**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—30

NAYS—Senators—None

Absent—Senators

Nasheed Schmitt—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 827**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 638**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Kehoe submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 805**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 894**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 985**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 932**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 576**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 577**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 663**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 947**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 1418**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 2140**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 858**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 915**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 899**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 806**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 1070—Commerce, Consumer Protection, Energy and the Environment.

SB 1071—Transportation, Infrastructure and Public Safety.

SB 1072—Veterans' Affairs and Health.

SB 1073—Seniors, Families and Children.

SB 1074—Seniors, Families and Children.

SB 1075—Seniors, Families and Children.

SB 1076—Veterans' Affairs and Health.

SB 1077—Judiciary and Civil and Criminal Jurisprudence.

SB 1078—Transportation, Infrastructure and Public Safety.

SB 1079—Transportation, Infrastructure and Public Safety.

SB 1080—Ways and Means.

SB 1081—Education.

SB 1082—Governmental Accountability and Fiscal Oversight.

SB 1083—Judiciary and Civil and Criminal Jurisprudence.

SB 1084—Education.

SB 1085—Education.

SB 1086—Small Business, Insurance and Industry.

SB 1087—Seniors, Families and Children.

SB 1088—Education.

SB 1089—Veterans' Affairs and Health.

SB 1090—General Laws and Pensions.

SB 1091—Small Business, Insurance and Industry.

SB 1092—Veterans' Affairs and Health.

SB 1093—Commerce, Consumer Protection, Energy and the Environment.

SB 1094—Ways and Means.

SB 1095—Seniors, Families and Children.

SB 1096—Judiciary and Civil and Criminal Jurisprudence.

SB 1097—Judiciary and Civil and Criminal Jurisprudence.

SB 1098—Judiciary and Civil and Criminal Jurisprudence.

SB 1099—Governmental Accountability and Fiscal Oversight.

SB 1100—Jobs, Economic Development and Local Government.

SB 1101—Seniors, Families and Children.

SB 1102—Veterans' Affairs and Health.

SB 1103—Education.

SB 1104—Judiciary and Civil and Criminal Jurisprudence.

- SB 1105**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1106**—General Laws and Pensions.
- SB 1107**—Commerce, Consumer Protection, Energy and the Environment.
- SB 1108**—Veterans' Affairs and Health.
- SB 1109**—Education.
- SB 1110**—Judiciary and Civil and Criminal Jurisprudence.
- SB 1111**—Veterans' Affairs and Health.
- SB 1112**—Jobs, Economic Development and Local Government.
- SB 1113**—Rules, Joint Rules, Resolutions and Ethics.
- SB 1114**—Financial and Governmental Organizations and Elections.
- SB 1115**—Seniors, Families and Children.
- SB 1116**—Jobs, Economic Development and Local Government.
- SB 1117**—Ways and Means.
- SB 1118**—Education.
- SB 1119**—Education.
- SB 1120**—Commerce, Consumer Protection, Energy and the Environment.
- SB 1121**—Commerce, Consumer Protection, Energy and the Environment.
- SB 1122**—Transportation, Infrastructure and Public Safety.
- SB 1123**—Jobs, Economic Development and Local Government.
- SB 1124**—Jobs, Economic Development and Local Government.
- SB 1125**—Education.
- SB 1126**—Education.
- SB 1127**—Education.
- SB 1128**—Education.
- SB 1129**—Seniors, Families and Children.
- SB 1130**—Commerce, Consumer Protection, Energy and the Environment.
- SB 1131**—Progress and Development.
- SB 1132**—Commerce, Consumer Protection, Energy and the Environment.
- SB 1133**—Financial and Governmental Organizations and Elections.
- SB 1134**—Jobs, Economic Development and Local Government.

SB 1135—Financial and Governmental Organizations and Elections.

SB 1136—Veterans' Affairs and Health.

SB 1137—Jobs, Economic Development and Local Government.

SB 1138—Financial and Governmental Organizations and Elections.

SB 1139—Transportation, Infrastructure and Public Safety.

SB 1140—Transportation, Infrastructure and Public Safety.

SB 1141—Transportation, Infrastructure and Public Safety.

SB 1142—Small Business, Insurance and Industry.

SB 1143—Commerce, Consumer Protection, Energy and the Environment.

SB 1144—Governmental Accountability and Fiscal Oversight.

SB 1145—Judiciary and Civil and Criminal Jurisprudence.

SB 1146—General Laws and Pensions.

SB 1147—Jobs, Economic Development and Local Government.

SB 1148—Jobs, Economic Development and Local Government.

SB 1149—Commerce, Consumer Protection, Energy and the Environment.

SB 1150—Jobs, Economic Development and Local Government.

SB 1151—Commerce, Consumer Protection, Energy and the Environment.

SJR 41—Financial and Governmental Organizations and Elections.

SJR 42—Judiciary and Civil and Criminal Jurisprudence.

SJR 43—Judiciary and Civil and Criminal Jurisprudence.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1682**, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to the medical practice freedom act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2212**, entitled:

An Act to repeal sections 192.2400 and 192.2405, RSMo, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, and section 565.188 as enacted by senate bill nos. 556 & 311, ninety-second general assembly, first regular session, and to enact in lieu thereof four new sections relating to mandated reporters of elder abuse, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2125**, entitled:

An Act to amend chapter 408, RSMo, by adding thereto four new sections relating to savings promotions programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1713**, entitled:

An Act to amend chapter 644, RSMo, by adding thereto two new sections relating to wastewater treatment systems, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1855**, entitled:

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting, with existing penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1463**, entitled:

An Act to repeal sections 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to sales tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1599**, entitled:

An Act to repeal section 193.125, RSMo, and to enact in lieu thereof two new sections relating to birth certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1892**, entitled:

An Act to repeal section 195.015 as enacted by senate bill nos. 215 & 58, eighty-fifth general assembly, first regular session, and to enact in lieu thereof nine new sections relating to the narcotics control act, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 3, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph L. Driskill, 109 Monterey Drive, Jefferson City, Cole County, Missouri 65109, as the Military Advocate, for a term ending March 3, 2022, and until his successor is duly appointed and qualified; vice, RSMo. 41.1012.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

President Pro Tem Richard referred the above appointment to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1628, regarding Eagle Scout Joshua Eric White, Springfield, which was adopted.

Senator Sifton offered Senate Resolution No. 1629, regarding Presbyterian Church, Webster Groves, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, teachers Shelley Kleene, Mary Polowy and Elizabeth Gordon; and fourth grade students from Cedar Hill Elementary School, Jefferson City.

Senator Onder introduced to the Senate, the Physician of the Day, Dr. George M. Bohigian, St. Louis.

Senator Brown introduced to the Senate, Major General Kent D. Savre, Fort Leonard Wood; and Brigadier General Gregory D. Mason, Assistant Adjutant General, Missouri National Guard.

Senator Pearce introduced to the Senate, Brigadier General Paul Tibbets, IV, Commander, 509th Bomb Wing and Whiteman Air Force Base.

Senator Riddle introduced to the Senate, teacher Courtney Smith and eighth grade students from Holy Rosary Catholic School, Monroe City.

Senator Keaveny introduced to the Senate, Kathie McCann and fifth, sixth and seventh grade students from Gateway Science Academy, St. Louis.

Senator Sater introduced to the Senate, Sheila Wyatt, Taney County Collector, Forsyth.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m. Monday, March 7, 2016.

SENATE CALENDAR

THIRTY-FOURTH DAY—MONDAY, MARCH 7, 2016

FORMAL CALENDAR**VETOED BILLS**

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729
HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt
HB 1565-Engler
HCS for HB 1433
HCS for HB 2155
HCS for HB 1387
HCS for HB 1612

HCS for HB 1817
HCS for HB 1964
HCS for HBs 1780 & 1420
HB 1392-King
HCS for HB 1480
HCS for HB 1850
HCS for HB 1419
HCS for HB 1613
HB 1721-Dugger
HCS for HB 1449
HCS for HB 1601

HB 1827-McGaugh
HCS for HB 1904
HB 2111-Eggleston
HB 1682-Frederick
HB 2212-Hinson
HB 2125-Fitzwater

HCS for HB 1713
HB 1855-Allen
HCS for HB 1463
HCS for HB 1599
HB 1892-Rehder

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)
SCS for SB 855-Pearce
(In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)

SCS for SB 800-Sater, et al
(In Fiscal Oversight)
SCS for SB 861-Wieland
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 980-Keaveny, with SCS
2. SB 680-Emery
3. SB 844-Parson
4. SB 772-Onder, with SCS
5. SB 698-Hegeman, with SCS
6. SB 786-Kraus
7. SB 624-Libla
8. SB 590-Dixon, with SCS
9. SBs 661, 726 & 741-Dixon, with SCS
10. SBs 588, 603 & 942-Dixon and Curls,
with SCS
11. SB 618-Wallingford, with SCS
12. SB 681-Cunningham
13. SB 702-Munzlinger
14. SB 1025-Kraus
15. SB 856-Silvey, with SCS
16. SB 988-Kraus
17. SB 973-Wasson, with SCS
18. SB 921-Riddle, with SCS
19. SB 801-Sater, with SCS

20. SB 964-Wallingford, with SCS
21. SB 986-Brown, with SCS
22. SB 1002-Hegeman
23. SB 898-Cunningham
24. SBs 789 & 595-Wasson, with SCS
25. SB 659-Wasson
26. SB 575-Schaefer, with SCS
27. SB 827-Sifton
28. SB 638-Riddle and Silvey, with SCS
29. SB 805-Onder, with SCS
30. SB 894-Munzlinger
31. SB 985-Wasson
32. SB 932-Cunningham
33. SB 576-Keaveny
34. SB 577-Keaveny
35. SB 663-Dixon, with SCS
36. SB 947-Parson
37. SB 858-Romine, with SCS
38. SB 899-Parson
39. SB 806-Onder, with SCS

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)

HJR 53-Dugger (Kraus)
(In Fiscal Oversight)

HCS for HB 1418 (Kraus)

HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 612-Cunningham

SB 619-Wallingford

SB 623-Libla

SB 644-Onder, with SCS

SB 706-Dixon

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 802-Sater

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 916-Schaefer

SJR 39-Onder and Emery

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman, with SCS & SS
for SCS (pending) (Onder)

HB 2226-Barnes (Silvey)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

Reported 2/25

SB 994-Munzlinger

SB 836-Wasson, with SCS

SB 735-Dixon

SB 897-Hegeman

SB 888-Walsh

SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS

SB 1009-Riddle, with SCS

SB 909-Sater
SB 852-Brown

SB 625-Walsh

Reported 3/3

SB 915-Schaefer

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FOURTH DAY—MONDAY, MARCH 7, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“My mouth shall speak of wisdom.” (Psalm 49:3)

We give You thanks O Lord for those who have left a legacy of legislation and good works that are filled with wisdom and knowledge. We see their pictures lining the walls as we make our way to and from our office and we are thankful for them. Guide us by Your spirit as You guided them and help us to avoid the influence of those who seek only their own glory. Empower us to place first the needs of those who are about us and seek our help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

President Kinder assumed the Chair.

The Journal for Thursday, March 3, 2016 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1630, regarding Lydia Laub, which was adopted.

Senator Nasheed offered Senate Resolution No. 1631, regarding Kaitlyn Davis, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 1632, regarding Kelsie Eltringham, which was adopted.

Senator Dixon offered Senate Resolution No. 1633, regarding Courtney Eltringham, which was adopted.

Senator Dixon offered Senate Resolution No. 1634, regarding Megan Huddle, which was adopted.

Senator Wasson offered Senate Resolution No. 1635, regarding Eagle Scout Declan Parker Rhodes, Ozark, which was adopted.

Senator Riddle offered Senate Resolution No. 1636, regarding Brit Wilson, which was adopted.

Senator Riddle offered Senate Resolution No. 1637, regarding Zach Benner, which was adopted.

Senator Riddle offered Senate Resolution No. 1638, regarding Josh McClure, which was adopted.

Senator Riddle offered Senate Resolution No. 1639, regarding Kellen Ekern, which was adopted.

Senator Brown offered Senate Resolution No. 1640, regarding Angelreana Choi, Rolla, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SJR 39** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Onder offered **SS** for **SJR 39**, entitled:

**SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 39**

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the protection of certain religious organizations and individuals from being penalized by the state because of their sincere religious beliefs or practices concerning marriage between two persons of the same sex.

Senator Onder moved that **SS** for **SJR 39** be adopted.

Senator Pearce assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 39, Page 1, In the Title, Lines 8-9, by striking all of said lines and inserting in lieu thereof the following: “.”; and

Further amend said resolution and page, section 36, lines 12-14 by striking all of said lines and inserting in lieu thereof the following: “**organization believes or acts in accordance with a sincere religious belief;**”; and

Further amend said bill and section, Page 2, Lines 1-6 of said page, by striking all of said lines and inserting in lieu thereof the following: **“declines to act in any manner that is in opposition to his or her sincerely held religious beliefs;”**; and further amend lines 11-14 of said page, by striking all of said lines and inserting in lieu thereof the following: **“facilities and property open or available for any purpose that is in opposition to the denomination's sincerely held religious beliefs; and”**; and further amend lines 16-20 of said page, by striking all of said lines and inserting in lieu thereof the following: **“individual who declines to be a participant in any activity that is in opposition to his or her sincerely held religious beliefs.”**; and

Further amend said resolution, Section B, Page 6, lines 15-18 of said page, by striking all of said lines and inserting in lieu thereof the following: **“beliefs or acts?”**”.

Senator Sifton moved that the above amendment be adopted.

Senator Sifton offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 39, Page 1, Section 36, Lines 12-14, by striking all of said lines and inserting in lieu thereof the following: **“organization believes or acts in accordance with a sincere religious belief;”**; and

Further amend said bill and section, Page 2, Lines 1-6 of said page, by striking all of said lines and inserting in lieu thereof the following: **“declines to act in any manner that is in opposition to his or her sincerely held religious beliefs;”**; and further amend lines 11-14 of said page, by striking all of said lines and inserting in lieu thereof the following: **“facilities and property open or available for any purpose that is in opposition to the denomination's sincerely held religious beliefs; and”**; and further amend lines 16-20 of said page, by striking all of said lines and inserting in lieu thereof the following: **“individual who declines to be a participant in any activity that is in opposition to his or her sincerely held religious beliefs.”**; and

Further amend said resolution and section, page 3, lines 23-24 of said page, by striking all of said lines and inserting in lieu thereof the following: **“believes or acts in accordance with any sincere religious belief.”**; and

Further amend said resolution, Section B, Page 6, lines 15-18 of said page, by striking all of said lines and inserting in lieu thereof the following: **“beliefs or acts?”**”.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Sifton offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Joint Resolution No. 39, Page 1, Line 1, by striking the following: **“Section 36, Lines 12-14,”**, and inserting in lieu thereof the following: **“Section Title, Lines 8-9,** by striking all of said lines and inserting in lieu thereof the following: **“.”**; and further amend said resolution and page, section 36, lines 12-14,”.

Senator Sifton moved that the above amendment be adopted.

Senator Riddle assumed the Chair.

Senator Dixon assumed the Chair.

Senator Kraus assumed the Chair.

Senator Romine assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Romine	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

Absent—Senators

Brown	Riddle	Sater	Schupp—4
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Absent with leave—Senator Walsh—1

Vacancies—2

Senator Hegeman assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Chappelle-Nadal	Dixon	Emery	Hegeman	Keaveny	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Romine	Schaaf	Schaefer	Schmitt	Schupp	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators

Brown	Cunningham	Curls	Holsman	Riddle	Sater	Schatz
Sifton—8						

Absent with leave—Senator Walsh—1

Vacancies—2

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Riddle
Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators

Cunningham	Curls	Holsman	Keaveny	Richard	Romine	Schaaf—7
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Absent with leave—Senator Walsh—1

Vacancies—2

Senator Schmitt assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wieland—26		

Absent—Senators

Keaveny	Schaaf	Silvey	Wallingford	Wasson—5
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Absent with leave—Senator Walsh—1

Vacancies—2

Senator Riddle assumed the Chair.

Senator Kraus assumed the Chair.

President Kinder assumed the Chair.

Senator Kehoe announced photographers from the KSN/KODE, the Missouri Times, KRCG-TV, KOMU-TV and ABC-17 were given permission to take pictures in the Senate Chamber.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Wasson
Wieland—29						

Absent—Senators

Cunningham	Schupp—2
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Absent with leave—Senator Walsh—1

Vacancies—2

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

At the request of Senator Onder, **SS** for **SJR 39** was withdrawn, rendering **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** moot.

Senator Onder offered **SS No. 2** for **SJR 39**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE JOINT RESOLUTION NO. 39

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the protection of certain religious organizations and individuals from being penalized by the state because of their sincere religious beliefs or practices concerning marriage between two persons of the same sex.

Senator Onder moved that **SS No. 2** for **SJR 39** be adopted.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Joint Resolution No. 39, Page 5, Section 36, Line 28 of said page, by inserting immediately after the words “creates a” the following: **“right to sue or”**.

Senator Onder moved that the above amendment be adopted.

Senator Onder offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Joint Resolution No. 39, Page 5, Section 36, Line 28 of said page, by striking all of said line; and

Further amend said resolution and section, page 6, lines 1-4 of said page, by striking all of said lines and inserting in lieu thereof the following:

“8. Nothing in this section shall be construed to create a cause of action against a private employer by an employee for termination or other adverse action related to such employee's sincerely held religious belief concerning marriage between two persons of the same sex.”

Senator Onder moved that the above substitute amendment be adopted.

Senator Onder offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Joint Resolution No. 39, Page 1, Line 9 of said amendment, by striking the words “sincerely

held” and inserting in lieu thereof the following: “**sincere**”.

Senator Onder moved that the above amendment be adopted.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Pearce assumed the Chair.

Senator Romine assumed the Chair.

Senator Kraus assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

Absent—Senator Keaveny—1

Absent with leave—Senator Walsh—1

Vacancies—2

President Kinder assumed the Chair.

Senator Emery assumed the Chair.

Senator Riddle assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Wasson
Wieland—29						

Absent—Senators

Keaveny	Schupp	Walsh—3
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Absent with leave—Senators—None

Vacancies—2

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

Senator Riddle assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators

Holsman	Munzlinger—2
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Absent with leave—Senators—None

Vacancies—2

President Kinder assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Walsh	Wasson
Wieland—29						

Absent—Senators

Holsman	Munzlinger	Wallingford—3
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Absent with leave—Senators—None

Vacancies—2

Senator Riddle assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Romine assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

Absent—Senators

Brown	Holsman	Riddle	Romine	Sater	Schaaf—6
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Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Nasheed moved that **SS No. 2** for **SJR 39** lay on the table and requested a roll call vote be taken. She was joined in her request by Senators Chappelle-Nadal, Curls, Schupp and Sifton.

The above motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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NAYS—Senators

Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Romine	Schaaf
Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—21

Absent—Senators

Brown	Holsman	Riddle	Sater—4
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Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kehoe, the Senate recessed until 5:40 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

Senator Kehoe requested that the Senator from the 2nd be recognized on **SS No. 2** for **SJR 39**.

At the request of Senator Onder, **SS No. 2** for **SJR 39** was withdrawn, rendering **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** moot.

Senator Onder offered **SS No. 3** for **SJR 39**, entitled:

**SENATE SUBSTITUTE NO. 3 FOR
SENATE JOINT RESOLUTION NO. 39**

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the protection of certain religious organizations and individuals from being penalized by the state because of their sincere religious beliefs or practices concerning marriage between two persons of the same sex.

Senator Onder moved that the reading be waived on **SS No. 3** for **SJR 39** and requested a roll call vote be taken. He was joined in his request by Senators Emery, Kehoe, Munzlinger and Romine.

The motion to waive the reading of **SS No. 3** for **SJR 39** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Sifton raised the point of order that upon recess, the Senator from the 14th had the floor and therefore should have had the floor upon reconvening.

Senator Schmitt assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Onder moved that **SS No. 3** for **SJR 39** be adopted and submitted the following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Bob Onder
/s/ Kurt Schaefer
/s/ Eric Schmitt

/s/ Ron Richard
/s/ David Sater
/s/ Mike Parson

/s/ Gary Romine	/s/ Mike Cunningham
/s/ Brian Munzlinger	/s/ Ed Emery
/s/ Paul Wieland	/s/ Wayne Wallingford
/s/ Dan Brown	/s/ Dave Schatz
/s/ Will Kraus	/s/ Dan Hegeman
/s/ Jay Wasson	/s/ Doug Libla
/s/ Jeanie Riddle	/s/ Mike Kehoe

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Nasheed	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Onder moved that **SS No. 3** for **SJR 39** be adopted, which motion prevailed.

Senator Onder moved that **SS No. 3** for **SJR 39** be declared perfected and ordered printed and requested a roll call vote be taken. He was joined in his request by Senators Emery, Hegeman, Riddle and Romine.

Senator Onder submitted the following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Bob Onder	/s/ Will Kraus
/s/ Kurt Schaefer	/s/ Jay Wasson
/s/ Eric Schmitt	/s/ Jeanie Riddle
/s/ Ron Richard	/s/ Mike Cunningham
/s/ David Sater	/s/ Ed Emery
/s/ Mike Parson	/s/ Wayne Wallingford
/s/ Gary Romine	/s/ Dave Schatz
/s/ Brian Munzlinger	/s/ Dan Hegeman
/s/ Paul Wieland	/s/ Doug Libla
/s/ Dan Brown	/s/ Mike Kehoe

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine

Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21
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NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Nasheed	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Onder, **SS No. 3** for **SJR 39** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schaaf	Schupp
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1696**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the Missouri commission for the deaf and hard of hearing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1875**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to perinatal care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1432**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave for state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1649**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1830**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to false disparagement of perishable food products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2257**, entitled:

An Act to repeal sections 327.272, 381.022 and 381.058, RSMo, and to enact in lieu thereof three new sections relating to title insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1745**, entitled:

An Act to repeal sections 301.067, 301.560 and 301.564, RSMo, and to enact in lieu thereof three new sections relating to transportation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2190**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to tax collection, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Kehoe moved that without objection, the Senate would go to the Order of Business of Reports of Standing Committees.

Senator Holsman objected to the above request.

The above motion prevailed on a voice vote.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SJR 39**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS No. 3** for **SJR 39** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Kehoe moved that without objection, the Senate would go to the Order of Business of Announcements.

Senator Holsman objected and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Keaveny, Schupp and Walsh.

The motion that the Senate go to the Order of Business of Announcements was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1641, regarding Kent Gorday, Foristell, which was adopted.

Senator Onder offered Senate Resolution No. 1642, regarding Sam Runge, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1643, regarding Kelci Davis, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 1644, regarding Casey Yocks, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 1645, regarding Kara Schrand, O'Fallon, which was adopted.

Senator Wallingford offered Senate Resolution No. 1646, regarding Bollinger County Cooperative, Marble Hill, which was adopted.

Senator Sifton offered Senate Resolution No. 1647, regarding John Williams Thousand, Jr., Crestwood, which was adopted.

Senator Sifton offered Senate Resolution No. 1648, regarding Francis John "Frank" Hellwig, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1649, regarding Louis "Lou" Schatz, Affton, which was adopted.

Senator Wasson offered Senate Resolution No. 1650, regarding Nethaline Hope Nothnagel, Willard, which was adopted.

Senator Hegeman offered Senate Resolution No. 1651, regarding Elva Moreno, which was adopted.

Senator Onder offered Senate Resolution No. 1652, regarding Renee Chronister, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 1653, regarding Cyril Herbert Meyer, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 1654, regarding Arnold Becker, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1655, regarding "Leo" William Rechtein, Jr., St. Charles, which was adopted.

Senator Schupp offered Senate Resolution No. 1656, regarding Edward Joseph "Ed" Komyati, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1657, regarding Eric Paul Seiler, Sr., St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Claudia Alley, Taos.

Senator Keaveny introduced to the Senate, Shelby McNeil, Springfield.

On behalf of Senators Cunningham, Keaveny, Munzlinger, Riddle, Schmitt and himself, Senator Parson introduced to the Senate, Mae Pavelka, West Plains; Olivia Crabtree, Independence; Courtney Guffey, Powersville; Lanie Beard, Sedalia; Alex Porter, Bolivar; Cecelia Jones, Fulton; and Abby Christensen, Kirkwood.

Senator Chappelle-Nadal introduced to the Senate, representatives of the Associated Students of the University of Missouri.

Senator Wasson introduced to the Senate, David and Janice White, Nixa; and their grandchildren, Mackenzie and Parker Coutts, Springfield; and Mackenzie and Parker were made honorary pages.

Senator Pearce introduced to the Senate, representatives of the Missouri Republican Women's Legislative Day.

Senator Cunningham introduced to the Senate, Superintendent David Russell, and fourth grade students from Success Elementary School.

Senator Sater introduced to the Senate, students from Central High School, St. Joseph.

Senator Cunningham introduced to the Senate, Robin Wallace and Connie Hebblethwaite, Licking; and Kim Plemons, Marshfield, MSTA.

Senator Munzlinger introduced to the Senate, Lori Smith, Kirksville; and representatives of the Missouri County Treasurers Association.

The President introduced to the Senate, Don Hinkle, Missouri Baptist Convention.

Senator Parson introduced to the Senate, Phyllis Domann, Priscilla Shelledy, Amanda Martin, Amanda Lutjen, Felicia Farabee, Matt Madden, Carol White and Stephanie Robinson, Central Missouri Community Credit Union.

Senator Emery introduced to the Senate, Ronda Ake, Clinton; and Mike and Zoe Metzker, Raymore.

Senator Parson introduced to the Senate, Kathy Drake, Bolivar; and her grandchildren, Makenna and Becham Coffer, Springfield.

Senator Schaefer introduced to the Senate, fourth grade students from Grant Elementary School, Columbia.

Senator Parson introduced to the Senate, teachers Emily Massey and Christy Williams; and students Jeremy Baker, Jacob Perryman, Sam McNellis, Elizabeth Barnett and Terry Cushing, Conway High School.

Senator Dixon introduced to the Senate, Mary Beth Harris and her children, Madison, Isabella, Isaiah, Emmaline and Savannah; and Grace Smith and her children Tim, Katy and Jabari, Rolla.

Senator Pearce introduced to the Senate, Greg Warren and his son, Carter, Concordia.

Senator Chappelle-Nadal introduced to the Senate, representatives of Hispanic Days.

Senator Hegeman introduced to the Senate, Student Regent Ve'Shawn Dixon, and members of the Student Senate, Northwest Missouri State University.

Senator Chappelle-Nadal introduced to the Senate, members of Focus St. Louis.

Senator Wieland introduced to the Senate, the Physician of the Day, Dr. Sarah Herbst, Fenton.

Senator Walsh introduced to the Senate, her daughter Michaela and granddaughter Prudence Jane.

Senator Keaveny introduced to the Senate, Scott Meyer, St. Louis.

On motion of Senator Kehoe, the Senate adjourned until 10:00 a.m., Thursday, March 10, 2016.

SENATE CALENDAR

THIRTY-FIFTH DAY—THURSDAY, MARCH 10, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729
HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt
HB 1565-Engler
HCS for HB 1433
HCS for HB 2155
HCS for HB 1387
HCS for HB 1612
HCS for HB 1817
HCS for HB 1964
HCS for HBs 1780 & 1420
HB 1392-King
HCS for HB 1480
HCS for HB 1850
HCS for HB 1419

HCS for HB 1613
HB 1721-Dugger
HCS for HB 1449
HCS for HB 1601
HB 1827-McGaugh
HCS for HB 1904
HB 2111-Eggleston
HB 1682-Frederick
HB 2212-Hinson
HB 2125-Fitzwater
HCS for HB 1713
HB 1855-Allen
HCS for HB 1463
HCS for HB 1599
HB 1892-Rehder
HCS for HB 1696
HCS for HB 1875
HCS for HB 1432

HCS for HB 1649
 HB 1830-McGaugh
 HB 2257-Jones

HB 1745-Brattin
 HCS for HB 2190

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)
 SCS for SB 855-Pearce (In Fiscal Oversight)
 SB 997-Pearce (In Fiscal Oversight)
 SCS for SB 800-Sater, et al
 (In Fiscal Oversight)

SCS for SB 861-Wieland
 (In Fiscal Oversight)
 SS#3 for SJR 39-Onder
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 980-Keaveny, with SCS
2. SB 680-Emery
3. SB 844-Parson
4. SB 772-Onder, with SCS
5. SB 698-Hegeman, with SCS
6. SB 786-Kraus
7. SB 624-Libla
8. SB 590-Dixon, with SCS
9. SBs 661, 726 & 741-Dixon, with SCS
10. SBs 588, 603 & 942-Dixon and Curls,
with SCS
11. SB 618-Wallingford, with SCS
12. SB 681-Cunningham
13. SB 702-Munzlinger
14. SB 1025-Kraus
15. SB 856-Silvey, with SCS
16. SB 988-Kraus
17. SB 973-Wasson, with SCS
18. SB 921-Riddle, with SCS
19. SB 801-Sater, with SCS

20. SB 964-Wallingford, with SCS
21. SB 986-Brown, with SCS
22. SB 1002-Hegeman
23. SB 898-Cunningham
24. SBs 789 & 595-Wasson, with SCS
25. SB 659-Wasson
26. SB 575-Schaefer, with SCS
27. SB 827-Sifton
28. SB 638-Riddle and Silvey, with SCS
29. SB 805-Onder, with SCS
30. SB 894-Munzlinger
31. SB 985-Wasson
32. SB 932-Cunningham
33. SB 576-Keaveny
34. SB 577-Keaveny
35. SB 663-Dixon, with SCS
36. SB 947-Parson
37. SB 858-Romine, with SCS
38. SB 899-Parson
39. SB 806-Onder, with SCS

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus)
 (In Fiscal Oversight)

HJR 53-Dugger (Kraus)
 (In Fiscal Oversight)

HCS for HB 1418 (Kraus)

HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 612-Cunningham

SB 619-Wallingford

SB 623-Libla

SB 644-Onder, with SCS

SB 706-Dixon

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 802-Sater

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 916-Schaefer

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

Reported 2/25

SB 994-Munzlinger

SB 836-Wasson, with SCS

SB 735-Dixon

SB 897-Hegeman

SB 888-Walsh

SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS

SB 1009-Riddle, with SCS

SB 909-Sater

SB 852-Brown

SB 625-Walsh

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIFTH DAY—THURSDAY, MARCH 10, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But I trust in You, O Lord; I say, ‘You are my God.’ My time is in Your hand;” (Psalm 31:14-15a)

Merciful God, after the week we have had we so need to put our trust in You and open our hearts to the comforting, healing presence You provide. As we eventually get home, may we walk with You and may You provide us with the fortitude to move forward as You would direct us. May our words and actions reflect our faith in You and trust of You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Kehoe announced photographers from the Associated Press, MissouriNet, KMIZ-TV, KRCG-TV, The Missouri Times and KOMU-TV were given permission to take pictures in the Senate Chamber.

The President requested the Journal be read.

The Journal for Monday, March 7, 2016 was read in part.

Senator Kehoe moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read.

Senator Keaveny rose to object.

Senator Keaveny requested the Journal for Monday, March 7, 2016 be read, which request was granted.

President Pro Tem Richard assumed the Chair.

Senator Kehoe moved that the Journal be approved as read.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day - Monday, March 7, 2016, Page 522, line 2, by inserting after all of said line, the following:

“Senator Onder requested that the Highway Patrol be ordered to take Senator Schupp into custody and bring her to the Senate Chamber.

Senator Onder requested that the Highway Patrol be ordered to take Senator Chappelle-Nadal into custody and bring her to the Senate Chamber.”

Senator Keaveny moved that the above amendment be adopted.

Senator Holsman requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Chappelle-Nadal, Curls, Nasheed and Silvey.

At the request of Senator Keaveny, **SA 1** was withdrawn.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Journal of the Missouri Senate, March 7, 2016, Page 522, Line 2, by inserting after all of said line the following:

“Senator Onder requested that the State Highway Patrol be ordered to bring Senator Schupp to the Senate Chamber.

Senator Onder requested that the State Highway Patrol be ordered to bring Senator Chappelle-Nadal to the Senate Chamber.”.

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Holsman, Sifton and Silvey.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

Senator Keaveny offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day - Monday, March 7, 2016, Page 524, line 29, by inserting after “5:40 a.m.” the following “**, with Senator Chappelle-Nadal possessing the floor.**”

Senator Keaveny moved that the above amendment be adopted.

Senator Wieland raised the point of order that Senator Keaveny is repeatedly using the names of senators on the Senate floor.

Senator Pearce assumed the Chair.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

Senator Holsman requested a roll call vote be taken on the adoption of **SA 3**. He was joined in his request by Senators Chappelle-Nadal, Curls, Keaveny and Schupp.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Hegeman	Kehoe	Kraus	Libla	Munzlinger
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—20	

Absent—Senator Emery—1

Absent with leave—Senator Schaaf—1

Vacancies—2

Senator Schmitt assumed the Chair.

Senator Keaveny offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 525, line 3 by inserting after all of said line, the following: “**Senator Sifton raised a point of order but was not recognized by the chair.**”

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Schupp, Sifton and Walsh.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

Senator Keaveny offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 525, line 11, by inserting immediately after said line, the following: **“Despite no motion for a previous question being made, the President Pro Tem did not seek whether any Senator desired to be heard on the motion to waive the reading of the SS No. 3 for SJR 39 and did not allow debate on the motion.”**

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 525, line 28, by striking “submitted the following privileged” and inserting in lieu thereof, **“indicated that he had previously made a previous question motion while in fact he had not. Despite the motion never being effectively made, the chair entertained the”**.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 526, line 7, by inserting after all of said line, the following: **“Senator Sifton made a superseding privileged motion but the Chair refused to recognize him for such.”**

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Nasheed, Schupp and Walsh.

SA 7 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp	Sifton
Silvey	Walsh—9					

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Schaaf—2
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Vacancies—2

Senator Keaveny offered **SA 8**, which was read:

SENATE AMENDMENT NO. 8

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 526, line 22 by strike “Senator Onder submitted the following privileged motion” and inserting in lieu the following: **“Senator Onder submitted a motion for the previous question. Senator Sifton made a superceding privileged motion but the Chair refused to recognize him. The Chair proceeded to consider the previous question motion from Senator Onder.”**

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Schupp, Sifton and Walsh.

SA 8 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp	Sifton
Silvey	Walsh—9					

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Schaaf—2
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Vacancies—2

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator Keaveny offered **SA 9**, which was read:

SENATE AMENDMENT NO. 9

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 527, line 20 by inserting after all of said line, the following **“Senator Schaaf raised a point of order that the Chair had improperly refused to recognize Senator Sifton for a privileged superceding motion. Senator Schaaf withdrew the point of order.”**

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Nasheed, Schupp and Sifton.

SA 9 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp	Sifton
Silvey	Walsh—9					

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Schaaf—2

Vacancies—2

Senator Keaveny offered **SA 10**, which was read:

SENATE AMENDMENT NO. 10

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016, Page 52, line 10, by striking “Senator Kehoe moved that without objection,” and insert in lieu thereof: **“Senator Kehoe made a unanimous consent request”** and further amend said page, line 12 by inserting after all of said line, the following: **“Despite no motion being made, the chair proceeded to call a vote on Senator Kehoe’s unanimous consent request.”** And further amend page 529, line 23, by striking “Senator Kehoe moved that without objection,” and inserting in lieu thereof **“Senator Kehoe made a unanimous consent request that”** and further amend line 24 by striking the “Announcements” and inserting in lieu thereof **“Despite no motion being made, the chair proceeded to call a vote on Senator Kehoe’s unanimous consent request.”**

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Nasheed, Schupp, Sifton and Walsh.

SA 10 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Schaaf—2

Vacancies—2

Senator Keaveny offered **SA 11**, which was read:

SENATE AMENDMENT NO. 11

Amend Journal of the Senate, Second Regular Session, Thirty-Fourth Day—Monday, March 7, 2016,

Page 532, line 7, by striking “On motion of Senator Kehoe,” and inserting in lieu thereof “**After the chair refused to recognize Senator Holsman, Senator Kehoe moved that the**”;

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Nasheed, Schupp and Walsh.

SA 11 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Keaveny	Nasheed	Schupp	Sifton
Silvey	Walsh—9					

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Schaaf—2
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Vacancies—2

President Pro Tem Richard assumed the Chair.

Senator Kehoe renewed his motion that the Journal be approved, which motion prevailed.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe stated without objection, the Senate would go to the Order of Business of Reports of Standing Committees.

Senator Schupp rose to object.

Senator Kehoe moved that the Senate go to the Order of Business of Reports of Standing Committees.

Senator Holsman requested that the motion be reduced to writing and it be distributed.

Senator Holsman raised the point of order that pursuant to Senate Rule 3, the Senate should proceed to “2. Introduction of Guests” and move down the list until the Order of Business has been completed.

Senator Schmitt assumed the Chair.

The point of order was referred to the President Pro Tem.

Senator Kehoe requested unanimous consent of the Senate to stand at ease.

Senator Nasheed rose to object.

Senator Kehoe moved that the Senate stand at ease, which motion prevailed.

Senator Holsman withdrew the point of order.

Senator Kehoe withdrew the motion to go to the Order of Business of Reports of Standing Committees.

Pursuant to Senate Rule 3, the Calendar was called.

MEMORIALS

Senator Schupp offered the following memorial, which was read:

SENATE MEMORIAL NO. 1

Whereas, Floyd Riddick was a Parliamentarian of the United States Senate from 1964 to 1974; and

Whereas, Floyd Riddick is most famous for developing Riddick's Senate procedure; and

Whereas, Floyd Riddick sat immediately below the presiding officer in the Senate chamber, providing information on precedents and advising other senators on parliamentary procedure; and

Whereas, Floyd Riddick is famous for discussions of the censures of Joseph McCarthy and Thomas Dodd, the contested election between John A. Durkin and Louis Wyman, and the preparations for a planned impeachment trial of Richard Nixon; and

Whereas, Floyd Riddick is also famous for advocating the change in the rules of cloture:

NOW THEREFORE the members of the Missouri Senate, Ninety-Eighth General Assembly, Second Regular Session, hereby memorialize Floyd Riddick; and

BE IT FURTHER DECLARED that the 9th day of March be hereinafter known as "Floyd Riddick Day"; and

BE IT FURTHER DECLARED that the Secretary of Senate be instructed to prepare properly inscribed copies of this memorial for the President Pro Tempore of the Senate.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 1658, regarding the One Hundredth Anniversary of Macedonia Baptist Church, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 1659, regarding the death of George Andrews, Kansas City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1660, regarding Willie Oliver Washington, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1661, regarding Wayne Francis Jordan, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1662, regarding William Joseph "Bill" Millman, Ellisville, which was adopted.

Senator Schmitt offered Senate Resolution No. 1663, regarding William Raymond "Bill" Wood, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1664, regarding Jon Black, which was adopted.

Senator Schmitt offered Senate Resolution No. 1665, regarding Kyle Gibbs, which was adopted.

Senator Schmitt offered Senate Resolution No. 1666, regarding Alex Schaaf, which was adopted.

Senator Schmitt offered Senate Resolution No. 1667, regarding Natalie Schodl, which was adopted.

Senator Wieland offered Senate Resolution No. 1668, regarding William “Bill” White, Festus, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1669, regarding Concrete Pier System, LLC, Monroe City, which was adopted.

Senator Riddle offered Senate Resolution No. 1670, regarding Taylor Laughlin, Mokane, which was adopted.

Senator Schaefer offered Senate Resolution No. 1671, regarding John Hostetler, which was adopted.

Senator Schaefer offered Senate Resolution No. 1672, regarding Chelsea Titus, which was adopted.

Senator Schaefer offered Senate Resolution No. 1673, regarding Khalil Rahman, which was adopted.

Senator Schaefer offered Senate Resolution No. 1674, regarding Devin Petersohn, which was adopted.

Senator Schaefer offered Senate Resolution No. 1675, regarding Kathleen Kowalsky, which was adopted.

Senator Schaefer offered Senate Resolution No. 1676, regarding Bailee Kain, which was adopted.

Senator Schaefer offered Senate Resolution No. 1677, regarding Kirtan Joshi, which was adopted.

Senator Schaefer offered Senate Resolution No. 1678, regarding Romanus Hutchins, which was adopted.

Senator Schaefer offered Senate Resolution No. 1679, regarding Katherine Hobbs, which was adopted.

Senator Schaefer offered Senate Resolution No. 1680, regarding Jonathon Gootee, which was adopted.

Senator Schaefer offered Senate Resolution No. 1681, regarding Nathan Coffey, which was adopted.

Senator Schaefer offered Senate Resolution No. 1682, regarding Sarah Biehn, which was adopted.

Senator Schaefer offered Senate Resolution No. 1683, regarding Badr Almadi, which was adopted.

Senator Pearce offered Senate Resolution No. 1684, regarding Chance Riddle, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1685, regarding Jim Rippy, Richmond, which was adopted.

Senator Pearce offered Senate Resolution No. 1686, regarding Leonard Cowl, Odessa, which was adopted.

Senator Pearce offered Senate Resolution No. 1687, regarding R.E. Holtz, Rayville, which was adopted.

Senator Cunningham offered Senate Resolution No. 1688, regarding Newt C. Brill, III, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 1689, regarding Carol King, Hardenville, which was adopted.

Senator Kehoe offered Senate Resolution No. 1690, regarding Ruth A. Strobe, Linn, which was adopted.

Senator Brown offered Senate Resolution No. 1691, regarding the Fiftieth Wedding Anniversary of Jim and Elaine Scott, Gravois Mills, which was adopted.

Senator Walsh offered Senate Resolution No. 1692, regarding Charles Herbert Dyall, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 1693, regarding Charles John “Charlie” Koch, Saint Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 1694, regarding Eric Shearrer, which was adopted.

Senator Richard offered Senate Resolution No. 1695, regarding Joyce Short, Noel, which was adopted.

Senator Richard offered Senate Resolution No. 1696, regarding Gary Poynor, Noel, which was adopted.

Senator Riddle offered Senate Resolution No. 1697, regarding James Harris, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 1698, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Edward Newberry, which was adopted.

Senator Riddle offered Senate Resolution No. 1699, regarding Tyler Moon, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS No. 3** for **SJR 39**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2002**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2003**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2004**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or

retention of individual data by AAMVA that violates any state law, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Missouri Highways and Transportation Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2005**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2006**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided the Department of Natural Resources notify members of the General Assembly about pending land purchases sixty (60) days prior to the close of sale, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Conservation Commission, and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly, and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing

Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2007**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2008**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2009**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2010**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2011**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2012**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various

joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2013**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

THIRD READING OF SENATE BILLS

SS No. 3 for **SJR 39**, introduced by Senator Onder, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to the protection of certain religious organizations and individuals from being penalized by the state because of their sincere religious beliefs or practices concerning marriage between two persons of the same sex.

Was taken up.

On motion of Senator Onder, **SS No. 3** for **SJR 39** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Schaaf—2
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Vacancies—2

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor.

Senator Kehoe requested unanimous consent of the Senate that the reading be waived and the messages be printed in the Journal.

Senator Holsman rose to object.

Senator Kehoe moved that the reading be waived and the messages be printed in the Journal, which motion prevailed.

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 10, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, Anna E. Crosslin, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 10, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gene Patrick Graham III, 116 South College Ave, Apartment 1, Columbia, Boone County, Missouri 65201, as the student representative of the University of Missouri Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Tracy Mulderig, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 10, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David C. Thomas, Republican, 155 Maple Grove Way, Columbia, Boone County, Missouri 65203, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2020, and until her successor is duly appointed and qualified; vice, Roger L. Worthington, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

REFERRALS

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, students from Cordill Mason Elementary School, Blue Springs.

Senator Pearce introduced to the Senate, the Physician of the Day, Dr. David Keuhn and his son, Ethan, Marshall.

Senator Wallingford introduced to the Senate, his wife Susan, and his grandchildren Brinleigh-Eden Wallingford and Mason O'Connor, St. Joseph, and Forest Wallingford, Asheville, North Carolina; and Trey and Angela Baxter, St. Joseph; and Brinleigh-Eden and Mason were made honorary pages.

Senator Parson introduced to the Senate, his wife Teresa; and granddaughter Alicia House, Sparta.

Senator Schmitt introduced to the Senate, the Physician of the Day, Dr. Matthew Satterly, St. Louis.

Senator Kehoe moved that the Senate adjourn until 10:00 a.m. Friday, March 11, 2016, which motion prevailed.

Senator Dixon introduced to the Senate, all those in the chamber and upper galleries today who have read all or any significant portion of the journals from the last 196 years of statehood, and I ask they be made experts for the day to serve without compensation. Noting the absence of anyone who meets the criteria except for the Secretary of the Senate and her staff, I ask they continue to receive compensation.

SENATE CALENDAR

THIRTY-SIXTH DAY—FRIDAY, MARCH 11, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477

HCS for HB 1474

HCS for HB 1729	HCS for HB 1713
HB 1414-Houghton	HB 1855-Allen
HB 1588-Franklin	HCS for HB 1463
HB 1728-Reiboldt	HCS for HB 1599
HB 1565-Engler	HB 1892-Rehder
HCS for HB 1433	HCS for HB 1696
HCS for HB 2155	HCS for HB 1875
HCS for HB 1387	HCS for HB 1432
HCS for HB 1612	HCS for HB 1649
HCS for HB 1817	HB 1830-McGaugh
HCS for HB 1964	HB 2257-Jones
HCS for HBs 1780 & 1420	HB 1745-Brattin
HB 1392-King	HCS for HB 2190
HCS for HB 1480	HCS for HB 2001
HCS for HB 1850	HCS for HB 2002
HCS for HB 1419	HCS for HB 2003
HCS for HB 1613	HCS for HB 2004
HB 1721-Dugger	HCS for HB 2005
HCS for HB 1449	HCS for HB 2006
HCS for HB 1601	HCS for HB 2007
HB 1827-McGaugh	HCS for HB 2008
HCS for HB 1904	HCS for HB 2009
HB 2111-Eggleston	HCS for HB 2010
HB 1682-Frederick	HCS for HB 2011
HB 2212-Hinson	HCS for HB 2012
HB 2125-Fitzwater	HCS for HB 2013

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)	SCS for SB 800-Sater, et al (In Fiscal Oversight)
SCS for SB 855-Pearce (In Fiscal Oversight)	SCS for SB 861-Wieland (In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|---|
| 1. SB 980-Keaveny, with SCS | 8. SB 590-Dixon, with SCS |
| 2. SB 680-Emery | 9. SBs 661, 726 & 741-Dixon, with SCS |
| 3. SB 844-Parson | 10. SBs 588, 603 & 942-Dixon and Curls,
with SCS |
| 4. SB 772-Onder, with SCS | 11. SB 618-Wallingford, with SCS |
| 5. SB 698-Hegeman, with SCS | 12. SB 681-Cunningham |
| 6. SB 786-Kraus | 13. SB 702-Munzlinger |
| 7. SB 624-Libla | |

- | | |
|------------------------------------|--|
| 14. SB 1025-Kraus | 27. SB 827-Sifton |
| 15. SB 856-Silvey, with SCS | 28. SB 638-Riddle and Silvey, with SCS |
| 16. SB 988-Kraus | 29. SB 805-Onder, with SCS |
| 17. SB 973-Wasson, with SCS | 30. SB 894-Munzlinger |
| 18. SB 921-Riddle, with SCS | 31. SB 985-Wasson |
| 19. SB 801-Sater, with SCS | 32. SB 932-Cunningham |
| 20. SB 964-Wallingford, with SCS | 33. SB 576-Keaveny |
| 21. SB 986-Brown, with SCS | 34. SB 577-Keaveny |
| 22. SB 1002-Hegeman | 35. SB 663-Dixon, with SCS |
| 23. SB 898-Cunningham | 36. SB 947-Parson |
| 24. SBs 789 & 595-Wasson, with SCS | 37. SB 858-Romine, with SCS |
| 25. SB 659-Wasson | 38. SB 899-Parson |
| 26. SB 575-Schaefer, with SCS | 39. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HCS for HB 1418 (Kraus) |
| HJR 53-Dugger (Kraus) (In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|-------------------------|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2226-Barnes (Silvey) |
| HB 1575-Rowden, with SCA 1 (Onder) | |
| HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder) | |

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 897-Hegeman
SB 888-Walsh
SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

MISCELLANEOUS

SM 1-Schupp

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SIXTH DAY—FRIDAY, MARCH 11, 2016

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 1700, regarding Ritchie Minor, Louisiana, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2001—Appropriations.

HCS for HB 2002—Appropriations.

HCS for HB 2003—Appropriations.

HCS for HB 2004—Appropriations.

HCS for HB 2005—Appropriations.

HCS for HB 2006—Appropriations.

HCS for HB 2007—Appropriations.

HCS for HB 2008—Appropriations.

HCS for HB 2009—Appropriations.

HCS for HB 2010—Appropriations.

HCS for HB 2011—Appropriations.

HCS for HB 2012—Appropriations.

HCS for HB 2013—Appropriations.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 14, 2016.

SENATE CALENDAR

THIRTY-SEVENTH DAY—MONDAY, MARCH 14, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729
HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt
HB 1565-Engler
HCS for HB 1433
HCS for HB 2155
HCS for HB 1387
HCS for HB 1612
HCS for HB 1817
HCS for HB 1964
HCS for HBs 1780 & 1420
HB 1392-King
HCS for HB 1480
HCS for HB 1850
HCS for HB 1419
HCS for HB 1613
HB 1721-Dugger
HCS for HB 1449

HCS for HB 1601
HB 1827-McGaugh
HCS for HB 1904
HB 2111-Eggleston
HB 1682-Frederick
HB 2212-Hinson
HB 2125-Fitzwater
HCS for HB 1713
HB 1855-Allen
HCS for HB 1463
HCS for HB 1599
HB 1892-Rehder
HCS for HB 1696
HCS for HB 1875
HCS for HB 1432
HCS for HB 1649
HB 1830-McGaugh
HB 2257-Jones
HB 1745-Brattin
HCS for HB 2190

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)
SCS for SB 855-Pearce (In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)

SCS for SB 800-Sater, et al (In Fiscal Oversight)
SCS for SB 861-Wieland (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 980-Keaveny, with SCS | 20. SB 964-Wallingford, with SCS |
| 2. SB 680-Emery | 21. SB 986-Brown, with SCS |
| 3. SB 844-Parson | 22. SB 1002-Hegeman |
| 4. SB 772-Onder, with SCS | 23. SB 898-Cunningham |
| 5. SB 698-Hegeman, with SCS | 24. SBs 789 & 595-Wasson, with SCS |
| 6. SB 786-Kraus | 25. SB 659-Wasson |
| 7. SB 624-Libla | 26. SB 575-Schaefer, with SCS |
| 8. SB 590-Dixon, with SCS | 27. SB 827-Sifton |
| 9. SBs 661, 726 & 741-Dixon, with SCS | 28. SB 638-Riddle and Silvey, with SCS |
| 10. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 29. SB 805-Onder, with SCS |
| 11. SB 618-Wallingford, with SCS | 30. SB 894-Munzlinger |
| 12. SB 681-Cunningham | 31. SB 985-Wasson |
| 13. SB 702-Munzlinger | 32. SB 932-Cunningham |
| 14. SB 1025-Kraus | 33. SB 576-Keaveny |
| 15. SB 856-Silvey, with SCS | 34. SB 577-Keaveny |
| 16. SB 988-Kraus | 35. SB 663-Dixon, with SCS |
| 17. SB 973-Wasson, with SCS | 36. SB 947-Parson |
| 18. SB 921-Riddle, with SCS | 37. SB 858-Romine, with SCS |
| 19. SB 801-Sater, with SCS | 38. SB 899-Parson |
| | 39. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HCS for HB 1418 (Kraus) |
| HJR 53-Dugger (Kraus) (In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1575-Rowden, with SCA 1 (Onder)	
HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder)	

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as amended (Onder)	HB 1983-Dogan, with SS for SCS, as amended (Munzlinger)
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MISCELLANEOUS

SM 1-Schupp

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SEVENTH DAY—MONDAY, MARCH 14, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Do not fear, greatly beloved, you are safe. Be strong and courageous...” (Daniel 10:19)

O Lord, we know your power and graciousness. During our various activities this week assist our efforts in bringing about what You will for us. Help us to gain wisdom we need to provide laws that lie gently on our fellow citizens and lift up those who are burdened. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The President requested the Journal for Thursday, March 10, 2016 be read.

The Journal was read in part.

Senator Kehoe moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read.

Senator Sifton rose to object.

The President requested the Journal be read.

Senator Pearce assumed the Chair.

On motion of Senator Kehoe, the Journal for Thursday, March 10, 2016 was approved as read.

The Journal for Friday, March 11, 2016 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown

Cunningham

Curls

Dixon

Emery

Hegeman

Holsman

Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard, joined by the entire membership, offered Senate Resolution No. 1701, regarding the One Hundredth Anniversary of The Boeing Company, which was adopted.

Senator Romine offered Senate Resolution No. 1702, regarding Eagle Scout Corben Jackson Crites, Farmington, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1643**, entitled:

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2180**, entitled:

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof two new sections relating to county road districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1422**, entitled:

An Act to repeal section 105.935, RSMo, and to enact in lieu thereof one new section relating to

vacation leave for state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1451**, entitled:

An Act to repeal sections 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 163.018, 167.131, and 167.241, RSMo, and to enact in lieu thereof ten new sections relating to charter schools, with an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1583**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof three new sections relating to student safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1698**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the meet in Missouri act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 2203**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 11, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kimberly Benjamin, Democrat, 1302 Ashbury Lane, Raymore, Cass County, Missouri 64083, as a member of the Missouri Ethics Commission, for a term ending March 15, 2020, and until her successor is duly appointed and qualified; vice, John Munich, term expires March 15, 2016.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 11, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donald Summers, Republican, 15783 State Highway Y, Unionville, Putnam County, Missouri 63565, as a member of the Missouri Ethics Commission, for a term ending March 15, 2020, and until his successor is duly appointed and qualified; vice, Charles E. Weedman Jr., term expires March 15, 2016.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Nancy S. Hoeman, 5647 South Ramsgate Road, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until her successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Rhonda L. Mammen, 3723 East Kensington Drive, Springfield, Greene County, Missouri 65802, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until her successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michelle L. Miller, 327 South Hill Street, West Plains, Howell County, Missouri 65775, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Jill L. Patterson, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carter Brooks Templeton, 511 Suburban Drive, Kirksville, Adair County, Missouri 63501, as the student representative of the Truman State University Board of Governors, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Kelly L. Kochanski, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Linda K. Thomas, 1749 South Farm Road 63, Springfield, Greene County, Missouri 65802, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 14, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donna M. Washburn, 1059 East Nottingham Lane, Springfield, Greene County, Missouri 65810, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,

Jeremiah W. (Jay) Nixon

Governor

President Pro Tem Richard referred the above appointments and reappointment to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Richard referred **SM 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-EIGHTH DAY—TUESDAY, MARCH 15, 2016

FORMAL CALENDAR

VETOED BILLS

HOUSE BILLS ON SECOND READING

HCS for HB 1477	HB 2111-Eggleston
HCS for HB 1474	HB 1682-Frederick
HCS for HB 1729	HB 2212-Hinson
HB 1414-Houghton	HB 2125-Fitzwater
HB 1588-Franklin	HCS for HB 1713
HB 1728-Reiboldt	HB 1855-Allen
HB 1565-Engler	HCS for HB 1463
HCS for HB 1433	HCS for HB 1599
HCS for HB 2155	HB 1892-Rehder
HCS for HB 1387	HCS for HB 1696
HCS for HB 1612	HCS for HB 1875
HCS for HB 1817	HCS for HB 1432
HCS for HB 1964	HCS for HB 1649
HCS for HBs 1780 & 1420	HB 1830-McGaugh
HB 1392-King	HB 2257-Jones
HCS for HB 1480	HB 1745-Brattin
HCS for HB 1850	HCS for HB 2190
HCS for HB 1419	HB 1643-Hicks
HCS for HB 1613	HCS for HB 2180
HB 1721-Dugger	HB 1422-Walker
HCS for HB 1449	HCS for HB 1451
HCS for HB 1601	HCS for HB 1583
HB 1827-McGaugh	HB 1698-Rowden
HCS for HB 1904	

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)	SCS for SB 800-Sater, et al
SCS for SB 855-Pearce	(In Fiscal Oversight)
(In Fiscal Oversight)	SCS for SB 861-Wieland
SB 997-Pearce (In Fiscal Oversight)	(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|---|
| 1. SB 980-Keaveny, with SCS | 8. SB 590-Dixon, with SCS |
| 2. SB 680-Emery | 9. SBs 661, 726 & 741-Dixon, with SCS |
| 3. SB 844-Parson | 10. SBs 588, 603 & 942-Dixon and Curls, |
| 4. SB 772-Onder, with SCS | with SCS |
| 5. SB 698-Hegeman, with SCS | 11. SB 618-Wallingford, with SCS |
| 6. SB 786-Kraus | 12. SB 681-Cunningham |
| 7. SB 624-Libla | 13. SB 702-Munzlinger |

- | | |
|------------------------------------|--|
| 14. SB 1025-Kraus | 27. SB 827-Sifton |
| 15. SB 856-Silvey, with SCS | 28. SB 638-Riddle and Silvey, with SCS |
| 16. SB 988-Kraus | 29. SB 805-Onder, with SCS |
| 17. SB 973-Wasson, with SCS | 30. SB 894-Munzlinger |
| 18. SB 921-Riddle, with SCS | 31. SB 985-Wasson |
| 19. SB 801-Sater, with SCS | 32. SB 932-Cunningham |
| 20. SB 964-Wallingford, with SCS | 33. SB 576-Keaveny |
| 21. SB 986-Brown, with SCS | 34. SB 577-Keaveny |
| 22. SB 1002-Hegeman | 35. SB 663-Dixon, with SCS |
| 23. SB 898-Cunningham | 36. SB 947-Parson |
| 24. SBs 789 & 595-Wasson, with SCS | 37. SB 858-Romine, with SCS |
| 25. SB 659-Wasson | 38. SB 899-Parson |
| 26. SB 575-Schaefer, with SCS | 39. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus) | HCS for HB 1418 (Kraus) |
| (In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |
| HJR 53-Dugger (Kraus) (In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS, | |
| SA 1, SSA 1 for SA 1, SA 1 to SSA 1 | |
| for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|---|-------------------------|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2226-Barnes (Silvey) |
| HB 1575-Rowden, with SCA 1 (Onder) | |
| HB 2166-Alferman, with SCS & SS for SCS | |
| (pending) (Onder) | |

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 897-Hegeman
SB 888-Walsh
SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

Requests to Recede or Grant Conference

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House requests
Senate recede or grant conference)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—TUESDAY, MARCH 15, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord crowns you with mercy and steadfast love.” (Psalm 103:4)

Inspire us, O Lord, that we find delight in honoring Your interest and pursuing Your affairs in our daily lives that we might be instruments of providing help and means for our people to move forward with their lives no matter what their walks of life. And may the causes of righteousness spring up throughout our state. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The President requested the Journal of the previous day be read.

The Journal was read in part.

Senator Kehoe moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read.

Senator Nasheed rose to object.

The President requested the Journal be read.

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

On motion of Senator Kehoe, the Journal of the previous day was approved as read.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

INTRODUCTIONS OF GUESTS

Senator Parson introduced to the Senate, Jack McGruder, Kirksville; Ted Shepard, Cabool; Sherry Jones, Dawn; Kevin Roberts, Hillsboro; Barbara Hayden, Sedalia; Director of the Department of Agriculture Richard Fordyce, Bethany; Executive Director Wendy Faulconer; and Director Mark Wolfe, State Fair Foundation.

Senator Silvey introduced to the Senate, his daughter, Kennedy Allyson, Kansas City.

Senator Curls introduced to the Senate, representatives of Delta Sigma Theta Sorority, Inc., Missouri chapters.

Senator Kehoe introduced to the Senate, teachers, parents, and fourth grade students from St. Francis Xavier School, Taos.

On behalf of Senator Kehoe and herself, Senator Riddle introduced to the Senate, Representatives of Missouri Leadership Academy for Educational Leaders Programs.

Senator Cunningham introduced to the Senate, Lee and Arla Colston, Wright County.

Senator Schupp introduced to the Senate, Seth Warner, Chesterfield.

Senator Schatz introduced to the Senate, Dr. Steve Belko, St. Charles; Louis Riggs, Hannibal; and members of the Missouri Humanities Council.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-NINTH DAY—WEDNESDAY, MARCH 16, 2016

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FORMAL CALENDAR

VETOED BILLS

HOUSE BILLS ON SECOND READING

HCS for HB 1477	HB 2111-Eggleston
HCS for HB 1474	HB 1682-Frederick
HCS for HB 1729	HB 2212-Hinson
HB 1414-Houghton	HB 2125-Fitzwater
HB 1588-Franklin	HCS for HB 1713
HB 1728-Reiboldt	HB 1855-Allen
HB 1565-Engler	HCS for HB 1463
HCS for HB 1433	HCS for HB 1599
HCS for HB 2155	HB 1892-Rehder
HCS for HB 1387	HCS for HB 1696
HCS for HB 1612	HCS for HB 1875
HCS for HB 1817	HCS for HB 1432
HCS for HB 1964	HCS for HB 1649
HCS for HBs 1780 & 1420	HB 1830-McGaugh
HB 1392-King	HB 2257-Jones
HCS for HB 1480	HB 1745-Brattin
HCS for HB 1850	HCS for HB 2190
HCS for HB 1419	HB 1643-Hicks
HCS for HB 1613	HCS for HB 2180
HB 1721-Dugger	HB 1422-Walker
HCS for HB 1449	HCS for HB 1451
HCS for HB 1601	HCS for HB 1583
HB 1827-McGaugh	HB 1698-Rowden
HCS for HB 1904	

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)	SCS for SB 800-Sater, et al (In Fiscal Oversight)
SCS for SB 855-Pearce (In Fiscal Oversight)	SCS for SB 861-Wieland (In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|-----------------------------|
| 1. SB 980-Keaveny, with SCS | 5. SB 698-Hegeman, with SCS |
| 2. SB 680-Emery | 6. SB 786-Kraus |
| 3. SB 844-Parson | 7. SB 624-Libla |
| 4. SB 772-Onder, with SCS | 8. SB 590-Dixon, with SCS |

- | | |
|---|--|
| 9. SBs 661, 726 & 741-Dixon, with SCS | 24. SBs 789 & 595-Wasson, with SCS |
| 10. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 25. SB 659-Wasson |
| 11. SB 618-Wallingford, with SCS | 26. SB 575-Schaefer, with SCS |
| 12. SB 681-Cunningham | 27. SB 827-Sifton |
| 13. SB 702-Munzlinger | 28. SB 638-Riddle and Silvey, with SCS |
| 14. SB 1025-Kraus | 29. SB 805-Onder, with SCS |
| 15. SB 856-Silvey, with SCS | 30. SB 894-Munzlinger |
| 16. SB 988-Kraus | 31. SB 985-Wasson |
| 17. SB 973-Wasson, with SCS | 32. SB 932-Cunningham |
| 18. SB 921-Riddle, with SCS | 33. SB 576-Keaveny |
| 19. SB 801-Sater, with SCS | 34. SB 577-Keaveny |
| 20. SB 964-Wallingford, with SCS | 35. SB 663-Dixon, with SCS |
| 21. SB 986-Brown, with SCS | 36. SB 947-Parson |
| 22. SB 1002-Hegeman | 37. SB 858-Romine, with SCS |
| 23. SB 898-Cunningham | 38. SB 899-Parson |
| | 39. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus) | HCS for HB 1418 (Kraus) |
| (In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |
| HJR 53-Dugger (Kraus) (In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1575-Rowden, with SCA 1 (Onder)	
HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder)	

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as amended (Onder)	HB 1983-Dogan, with SS for SCS, as amended (Munzlinger)
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Requests to Recede or Grant Conference

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House requests
Senate recede or grant conference)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-NINTH DAY—WEDNESDAY, MARCH 16, 2016

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Reverend Carl Gauck offered the following prayer:

“Blessed are the meek, for they will inherit the earth. Blessed are those who hunger and thirst for righteousness, for they will be filled. Blessed are the merciful, for they will receive mercy. Blessed are the pure in heart, for they will see God. Blessed are the peacemakers, for they will be called children of God.” (Matthew 5:59)

Lord God during this time of Lent we know You require meekness, those who are dependent on You and walk in the way of righteous and we pray that we might be such a people. Guide us to seek You always and be those who seek to bring one another together, learning from the Prince of Peace. Let each here seek to be called children of God and complete our Lenten journey being filled with righteousness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV and the MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 1703, regarding the Westwood Baptist Academy girls basketball program, which was adopted.

Senator Nasheed offered Senate Resolution No. 1704, regarding Robert Raymond “Bob” Meihofer, Sr., St. Louis, which was adopted.

Senator Silvey offered Senate Resolution No. 1705, regarding Michael L. Cuno, which was adopted.

Senator Romine offered Senate Resolution No. 1706, regarding Eagle Scout Brandon Norfolk, Leadington, which was adopted.

Senator Parson offered Senate Resolution No. 1707, regarding Reverend Loyd N. Middleton, which was adopted.

Senator Dixon offered Senate Resolution No. 1708, regarding Gail Holand, which was adopted.

Senator Cunningham offered Senate Resolution No. 1709, regarding West Plains Electric Supply, which was adopted.

Senator Schaefer offered Senate Resolution No. 1710, regarding Pulse Medical Staffing, Columbia, which was adopted.

Senator Curls offered Senate Resolution No. 1711, regarding “Crossing Guard Appreciation Day”, which was adopted.

Senator Wallingford offered Senate Resolution No. 1712, regarding Sergeant Clifford A. Heinrich, Cape Girardeau, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 980**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 980**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 980**

An Act to repeal sections 105.661, 105.666, and 105.683, RSMo, and to enact in lieu thereof three new sections relating to public pension plans.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 980** be adopted.

Senator Keaveny offered **SS** for **SCS** for **SB 980**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 980**

An Act to repeal sections 104.1205, 105.661, 105.666, and 105.683, RSMo, and to enact in lieu thereof four new sections relating to public pension plans, with an effective date for a certain section.

Senator Keaveny moved that **SS** for **SCS** for **SB 980** be adopted.

Senator Schmitt assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 980, Page 1, In the Title, Line 5 of the title, by inserting after “section” the following: “and an emergency clause for a certain section”; and

Further amend said bill, Page 8, Section 105.683, Line 21 of said page, by inserting after all of said line the following:

“169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member’s final average salary:

(1) Two and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years. In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Two and four-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Two and thirty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Two and three-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Two and twenty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Two and two-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2014,] Two and fifty-five hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is thirty-one

years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving

children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the

beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the

system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become

effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form

of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.”; and

Further amend said bill and page, Section B, Line 23 of said page, by inserting after all of said line the following:

“Section C. Because of the importance of providing an additional retirement allowance option to Missouri teachers, the repeal and reenactment of section 169.070 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 169.070 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

President Kinder assumed the Chair.

At the request of Senator Keaveny, **SB 980**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Richard requested unanimous consent of the Senate to suspend Senate Rule 16 and Senate Rule 96 for the purpose of allowing the press to remain at the press table for the remainder of session, which request was granted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1421**, entitled:

An Act to repeal section 70.210, RSMo, and to enact in lieu thereof one new section relating to the cooperation of political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1546**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2058**, entitled:

An Act to amend chapters 171 and 173, RSMo, by adding thereto two new sections relating to student journalists.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1556**, entitled:

An Act to repeal section 110.010, RSMo, and to enact in lieu thereof one new section relating to security of ambulance district funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1530**, entitled:

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1709**, entitled:

An Act to repeal sections 169.141 and 169.715, RSMo, and to enact in lieu thereof two new sections

relating to school employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2186**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to recognition for student participation in the Constitution Project of the Missouri Supreme Court.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1388**, entitled:

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1538**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to brachial plexus awareness.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1539**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Von Willebrand awareness.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1559**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Lucile Bluford Day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1602**, entitled:

An Act to repeal sections 162.073 and 162.261, RSMo, and to enact in lieu thereof two new sections relating to vacancies on school boards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1610**, entitled:

An Act to repeal section 167.223, RSMo, and to enact in lieu thereof one new section relating to postsecondary course options.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1622**, entitled:

An Act to repeal section 589.405, RSMo, and to enact in lieu thereof one new section relating to the sex offender registry.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1710**, entitled:

An Act to repeal sections 169.324 and 169.560, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2195**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of state dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1851**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1777**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2183**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to parliamentary law month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2335**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2369**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1958**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 980**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Schaaf offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 980, Section 169.070, Page 2, Line 26, by striking said line and inserting in lieu thereof the following: "Fifty[-five] hundredths percent of the member's final average".

Senator Schaaf moved that the above amendment be adopted.

Senator Pearce raised the point of order that **SA 1** to **SA 1** was dilatory.

Senator Romine assumed the Chair.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Schaaf offered **SA 2** to **SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 980, Page 2, Section 168.070, Line 25, by inserting immediately before the word “Two” the following: **“Beginning on January 1, 2026,”**.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schaaf, **SA 2** to **SA 1** was withdrawn.

Senator Schaaf offered **SA 3** to **SA 1**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 980, Page 2, Section 169.070, Line 26, by striking the words “fifty-five hundredths” and insert in lieu thereof the follow: **“fifty-hundredths and one billionth”**.

Senator Schaaf moved that the above amendment be adopted.

Under the provisions of Senate Rule 91, Senator Riddle was excused from voting on the adoption of **SA 3** to **SA 1**, **SA 1**, **SS** for **SCS** and the perfection of **SS** for **SCS** for **SB 980**.

At the request of Senator Keaveny, **SB 980**, with **SCS**, **SS** for **SCS**, **SA 1** and **SA 3** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has affirmed that Section 2.030 of **CCS** for **SCS** for **HCS** for **HB 2**, appropriation 9235, for the purpose of funding the Missouri Scholars and Fine Arts Academies, shall not be subject to any action pursuant to Article IV, Section 27, Subsection 1 of the Missouri Constitution, the actions of the Governor thereto notwithstanding.

Also, attached is a certified roll call on the House action on Section 2.030 of **CCS** for **SCS** for **HCS** for **HB 2**, appropriation 9235, for the purpose of funding the Missouri Scholars and Fine Arts Academies.

AYES: 122

Alferman	Allen	Anderson	Andrews	Arthur	Austin	Bahr
Barnes	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley	Kendrick	Kidd
King	Koenig	Kolkmeier	Korman	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty

McDaniel	McGaugh	Messenger	Miller	Montecillo	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker				

NOES: 35

Adams	Anders	Butler	Carpenter	Colona	Conway 10	Dunn
Green	Hubbard	Hummel	Kirkton	Kratky	Lavender	Marshall
May	McCann Beatty	McDonald	McGee	McNeil	Meredith	Mims
Mitten	Morgan	Newman	Nichols	Norr	Pace	Peters
Pierson	Pogue	Rizzo	Rowland 29	Runions	Smith	Walton Gray

ABSENT: 5

Basye	Gardner	Haahr	McCreery	Otto
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has affirmed that Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 10**, appropriation 9859, for Brain Injury Waiver Services, shall not be subject to any action pursuant to Article IV, Section 27, Subsection 1 of the Missouri Constitution, the actions of the Governor thereto notwithstanding.

Also, attached is a certified roll call on the House action on Section 10.710 of **CCS** for **SCS** for **HCS** for **HB 10**, appropriation 9859, for Brain Injury Waiver Services.

AYES: 127

Alferman	Allen	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Barnes	Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Burns	Chipman	Cierpiot
Conway 104	Cookson	Corlew	Cornejo	Crawford	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Green	Haefner	Hansen	Harris	Hicks
Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley	Kendrick	Kidd
King	Koenig	Kolkmeier	Korman	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty
McDaniel	McGaugh	Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morris	Muntzel	Neely	Nichols	Parkinson	Peters
Pfautsch	Phillips	Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Rowland 29	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	Webber	White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker						

NOES: 29

Adams	Butler	Carpenter	Colona	Conway 10	Dunn	Ellington
Hubbard	Hummel	Kirkton	Kratky	Lavender	Marshall	May
McCann Beatty	McDonald	McGee	McNeil	Mitten	Morgan	Newman
Norr	Pace	Pierson	Pogue	Rizzo	Runions	Smith
Walton Gray						

ABSENT: 6

Basye	Cross	Gardner	Haahr	McCreery	Otto
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 73**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 73

WHEREAS, cystic fibrosis, commonly referred to as “CF”, is a genetic disease affecting approximately 30,000 children and adults in the United States and nearly 70,000 children and adults worldwide, 717 of whom live in Missouri; and

WHEREAS, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

WHEREAS, more than 10 million Americans are symptomless carriers of the defective CF gene, and CF occurs in approximately one of every 3,500 live births in the United States; and

WHEREAS, the median age of survival for a person with CF is 39.3 years; and

WHEREAS, with advances in the treatment of CF, the number of adults with CF has steadily grown, and approximately 900 new cases of CF are diagnosed each year; and

WHEREAS, fifty percent of the CF population is 18 years of age and older, and people with CF have a variety of symptoms attributed to the more than 1,800 mutations of the CF gene; and

WHEREAS, infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

WHEREAS, early diagnosis of CF permits early treatment and enhances quality of life and longevity and the treatment of CF depends on the stage of the disease and the organs involved; and

WHEREAS, clearing mucus from the lungs is an important part of the daily CF treatment regimen, and other types of treatments include inhaled antibiotics and pancreatic enzymes, among others; and

WHEREAS, there are 8 world-class treatment centers in Missouri which specialize in the diagnosis of CF and the care of persons with CF; and

WHEREAS, a critical component of treating patients with CF includes access to innovative treatments, which can play a crucial role in the lives of patients with CF; and

WHEREAS, improving the length and quality of life for people with CF starts with awareness:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate the month of May of each year as “Cystic Fibrosis Awareness Month” in Missouri.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1713, regarding Lew’s, Springfield, which was adopted.

Senator Walsh offered Senate Resolution No. 1714, regarding Timothy J. Fodde, St. Louis County, which was adopted.

Senator Schatz offered Senate Resolution No. 1715, regarding Richard H. “Dick” Witte, Chesterfield, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1716, regarding Harold Taylor “Bud” Jolley, Saint Louis, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1717, regarding Two Rivers Boat Club, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1718, regarding Patricia “Patty” Bolton, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1719, regarding Jenna Loveless, Louisiana, which was adopted.

Senator Schaaf offered Senate Resolution No. 1720, regarding Lauren Fricke, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1721, regarding Lauren Bunten, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1722, regarding Emily Van Hooser, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1723, regarding Sophia Dominguez-Heithoff, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1724, regarding Eagle Scout Ethan Patrick Wissmann, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1725, regarding Eagle Scout Sean A. Higby, Parkville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, Tatum Reed and fourth grade students from Atlanta C-3 Elementary School.

Senator Parson introduced to the Senate, Nicholas Van Valkenburg, St. Louis; and Morgan Simpson, Bolivar.

Senator Parson introduced to the Senate, Joey Graves and Brad Turner, Polk County.

Senator Schaaf introduced to the Senate, Derek Frieling, Dokata Bumphrey, Noah Jones, Sam Jones, Trinity Issacs and Aspen Brushwood, Lafayette High School.

Senator Kraus introduced to the Senate, students from Oak Grove High School.

Senator Cunningham introduced to the Senate, Ann Terrell Smith, Poplar Bluff; and Todd Richardson, Alton.

Senator Cunningham introduced to the Senate, Bryan Adcock and Terry Sanders, West Plains.

Senator Schupp introduced to the Senate, Jennifer Scissors and her sons, Griffin and Dylan, St. Louis; and Griffin and Dylan were made honorary pages.

Senator Romine introduced to the Senate, Greg Kester and students from Potosi High School.

Senator Kraus introduced to the Senate, his wife Carmen, and her parents, Stan and Terry Bohon, Sedalia; and representatives of the 8th Senatorial district.

Senator Cunningham introduced to the Senate, Adella and Bob Lunsford, their daughter, Jennifer Stumpff; and grandchildren, Connor and Thatcher Stumpff, Overland Park, Kansas; and Connor and Thatcher were made honorary pages.

Senator Pearce introduced to the Senate, his wife, Teresa.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTIETH DAY—THURSDAY, MARCH 17, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729
HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt
HB 1565-Engler
HCS for HB 1433
HCS for HB 2155
HCS for HB 1387
HCS for HB 1612
HCS for HB 1817

HCS for HB 1964
HCS for HBs 1780 & 1420
HB 1392-King
HCS for HB 1480
HCS for HB 1850
HCS for HB 1419
HCS for HB 1613
HB 1721-Dugger
HCS for HB 1449
HCS for HB 1601
HB 1827-McGaugh
HCS for HB 1904

HB 2111-Eggleston	HB 1421-Walker
HB 1682-Frederick	HB 1546-Lauer
HB 2212-Hinson	HB 2058-Haahr
HB 2125-Fitzwater	HB 1556-Love
HCS for HB 1713	HB 1530-Brown (57)
HB 1855-Allen	HB 1709-Lair
HCS for HB 1463	HB 2186-Ross
HCS for HB 1599	HB 1388-Roeber
HB 1892-Rehder	HB 1538-Vescovo
HCS for HB 1696	HB 1539-Vescovo
HCS for HB 1875	HB 1559-McCann Beatty
HCS for HB 1432	HB 1602-Ruth
HCS for HB 1649	HB 1610-Swan
HB 1830-McGaugh	HB 1622-Kelley
HB 2257-Jones	HB 1710-Lair
HB 1745-Brattin	HB 2195-Hoskins
HCS for HB 2190	HB 1851-Alferman
HB 1643-Hicks	HB 1777-Cierpiot
HCS for HB 2180	HB 2183-Roeber
HB 1422-Walker	HB 2335-Houghton
HCS for HB 1451	HB 2369-Bahr
HCS for HB 1583	HB 1958-Basye
HB 1698-Rowden	

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)	SCS for SB 800-Sater, et al
SCS for SB 855-Pearce	(In Fiscal Oversight)
(In Fiscal Oversight)	SCS for SB 861-Wieland
SB 997-Pearce (In Fiscal Oversight)	(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------|-----------------------------|
| 1. SB 680-Emery | 4. SB 698-Hegeman, with SCS |
| 2. SB 844-Parson | 5. SB 786-Kraus |
| 3. SB 772-Onder, with SCS | 6. SB 624-Libla |

- | | |
|--|--|
| 7. SB 590-Dixon, with SCS | 23. SBs 789 & 595-Wasson, with SCS |
| 8. SBs 661, 726 & 741-Dixon, with SCS | 24. SB 659-Wasson |
| 9. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 25. SB 575-Schaefer, with SCS |
| 10. SB 618-Wallingford, with SCS | 26. SB 827-Sifton |
| 11. SB 681-Cunningham | 27. SB 638-Riddle and Silvey, with SCS |
| 12. SB 702-Munzlinger | 28. SB 805-Onder, with SCS |
| 13. SB 1025-Kraus | 29. SB 894-Munzlinger |
| 14. SB 856-Silvey, with SCS | 30. SB 985-Wasson |
| 15. SB 988-Kraus | 31. SB 932-Cunningham |
| 16. SB 973-Wasson, with SCS | 32. SB 576-Keaveny |
| 17. SB 921-Riddle, with SCS | 33. SB 577-Keaveny |
| 18. SB 801-Sater, with SCS | 34. SB 663-Dixon, with SCS |
| 19. SB 964-Wallingford, with SCS | 35. SB 947-Parson |
| 20. SB 986-Brown, with SCS | 36. SB 858-Romine, with SCS |
| 21. SB 1002-Hegeman | 37. SB 899-Parson |
| 22. SB 898-Cunningham | 38. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HCS for HB 1418 (Kraus) |
| HJR 53-Dugger (Kraus)
(In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending) |
| SB 706-Dixon | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1575-Rowden, with SCA 1 (Onder)	
HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder)	

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as amended (Onder)	HB 1983-Dogan, with SS for SCS, as amended (Munzlinger)
--	--

Requests to Recede or Grant Conference

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House requests
Senate recede or grant conference)

RESOLUTIONS

To be Referred

HCS for HCR 73

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTIETH DAY—THURSDAY, MARCH 17, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I bind unto myself this day, the power of God to hold and lead...” (Text attributed to St. Patrick)

God of Creation, as we leave here this day, with our work done for the time being, we do so looking forward to a week of rest and activities we don’t have here. May we find time to re-energize and restore our bodies. And may we find time for stillness with You that allows our souls to also be nourished by Your word and grace. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1726, regarding Eagle Scout Alexander G. Biermann,

Barnhart, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Head Coach Trevor Hibbs and members of the 2015 Class 3 State Champion Warrenton High School Girls' Warriors Softball Team.

Senator Schaefer introduced to the Senate, parents and fourth grade students from New Haven Elementary School, Columbia.

Senator Parson introduced to the Senate, Principal Larry Anderson and seventh and eighth grade students from Lutheran School Association, Cole Camp.

On motion of Senator Kehoe, the Senate adjourned until 3:00 p.m., Wednesday, March 23, 2016.

SENATE CALENDAR

FORTY-FIRST DAY—WEDNESDAY, MARCH 23, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729
HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt
HB 1565-Engler
HCS for HB 1433
HCS for HB 2155
HCS for HB 1387
HCS for HB 1612
HCS for HB 1817
HCS for HB 1964

HCS for HBs 1780 & 1420
HB 1392-King
HCS for HB 1480
HCS for HB 1850
HCS for HB 1419
HCS for HB 1613
HB 1721-Dugger
HCS for HB 1449
HCS for HB 1601
HB 1827-McGaugh
HCS for HB 1904
HB 2111-Eggleston
HB 1682-Frederick

HB 2212-Hinson	HB 1546-Lauer
HB 2125-Fitzwater	HB 2058-Haahr
HCS for HB 1713	HB 1556-Love
HB 1855-Allen	HB 1530-Brown (57)
HCS for HB 1463	HB 1709-Lair
HCS for HB 1599	HB 2186-Ross
HB 1892-Rehder	HB 1388-Roeber
HCS for HB 1696	HB 1538-Vescovo
HCS for HB 1875	HB 1539-Vescovo
HCS for HB 1432	HB 1559-McCann Beatty
HCS for HB 1649	HB 1602-Ruth
HB 1830-McGaugh	HB 1610-Swan
HB 2257-Jones	HB 1622-Kelley
HB 1745-Brattin	HB 1710-Lair
HCS for HB 2190	HB 2195-Hoskins
HB 1643-Hicks	HB 1851-Alferman
HCS for HB 2180	HB 1777-Cierpiot
HB 1422-Walker	HB 2183-Roeber
HCS for HB 1451	HB 2335-Houghton
HCS for HB 1583	HB 2369-Bahr
HB 1698-Rowden	HB 1958-Basye
HB 1421-Walker	

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)	SCS for SB 800-Sater, et al (In Fiscal Oversight)
SCS for SB 855-Pearce (In Fiscal Oversight)	SCS for SB 861-Wieland (In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|--|
| 1. SB 680-Emery | 9. SBs 588, 603 & 942-Dixon and Curls,
with SCS |
| 2. SB 844-Parson | 10. SB 618-Wallingford, with SCS |
| 3. SB 772-Onder, with SCS | 11. SB 681-Cunningham |
| 4. SB 698-Hegeman, with SCS | 12. SB 702-Munzlinger |
| 5. SB 786-Kraus | 13. SB 1025-Kraus |
| 6. SB 624-Libla | 14. SB 856-Silvey, with SCS |
| 7. SB 590-Dixon, with SCS | 15. SB 988-Kraus |
| 8. SBs 661, 726 & 741-Dixon, with SCS | |

- | | |
|--|-----------------------------|
| 16. SB 973-Wasson, with SCS | 28. SB 805-Onder, with SCS |
| 17. SB 921-Riddle, with SCS | 29. SB 894-Munzlinger |
| 18. SB 801-Sater, with SCS | 30. SB 985-Wasson |
| 19. SB 964-Wallingford, with SCS | 31. SB 932-Cunningham |
| 20. SB 986-Brown, with SCS | 32. SB 576-Keaveny |
| 21. SB 1002-Hegeman | 33. SB 577-Keaveny |
| 22. SB 898-Cunningham | 34. SB 663-Dixon, with SCS |
| 23. SBs 789 & 595-Wasson, with SCS | 35. SB 947-Parson |
| 24. SB 659-Wasson | 36. SB 858-Romine, with SCS |
| 25. SB 575-Schaefer, with SCS | 37. SB 899-Parson |
| 26. SB 827-Sifton | 38. SB 806-Onder, with SCS |
| 27. SB 638-Riddle and Silvey, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---|------------------------------------|
| HB 1631-Alferman, with SCS (Kraus) | HCS for HB 1418 (Kraus) |
| (In Fiscal Oversight) | HCS for HB 2140, with SCS (Wasson) |
| HJR 53-Dugger (Kraus) (In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 623-Libla | SB 916-Schaefer |
| SB 644-Onder, with SCS | SB 980-Keaveny, with SCS, SS for SCS, SA 1 |
| SB 706-Dixon | & SA 3 to SA 1 (pending) |
| SB 785-Schaefer, with SCS, SS for SCS, | |
| SA 1, SSA 1 for SA 1, SA 1 to SSA 1 | |
| for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|---|-------------------------|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2226-Barnes (Silvey) |
| HB 1575-Rowden, with SCA 1 (Onder) | |
| HB 2166-Alferman, with SCS & SS for SCS | |
| (pending) (Onder) | |

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS
SB 627-Nasheed
SB 646-Schupp, with SCS
SB 831-Wasson

SB 833-Nasheed
SB 864-Sater
SB 738-Parson

Reported 2/25

SB 994-Munzlinger
SB 836-Wasson, with SCS
SB 735-Dixon
SB 897-Hegeman
SB 888-Walsh
SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS
SB 1009-Riddle, with SCS
SB 909-Sater
SB 852-Brown
SB 625-Walsh

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)

Requests to Recede or Grant Conference

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House requests
Senate recede or grant conference)

RESOLUTIONS

To be Referred

HCS for HCR 73

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIRST DAY—WEDNESDAY, MARCH 23, 2016

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 1727, regarding Esther Miller Bais Yaakov High School, Saint Louis, which was adopted.

On behalf of Senator Libla, Senator Kehoe offered Senate Resolution No. 1728, regarding Riley Andrew Gray, Poplar Bluff, which was adopted.

Senator Kehoe offered Senate Resolution No. 1729, regarding Edwin “Ed” and Judy Ehrhardt, Honey Creek, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1730, regarding the Sixtieth Wedding Anniversary of John and Betty Tarwater, Gallatin, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1731, regarding the Sixty-fifth Wedding Anniversary of Eugene and Wanda Utz, Gower, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1732, regarding the Fiftieth Wedding Anniversary of Kenny and Linda Simmons, Parnell, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1733, regarding the Seventy-eighth Wedding Anniversary of Emery and Waneta Gould, Gallatin, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1734, regarding the Sixtieth Wedding Anniversary of AC and Charlie Heldenbrand, Cameron, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1735, regarding the Fiftieth Wedding Anniversary of Gene and Janice Sparks, Tarkio, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1736, regarding the

Fiftieth Wedding Anniversary of John and Kay Dunham, Amity, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1737, regarding the Sixtieth Wedding Anniversary of Lee and May Fankhauser, Ravenwood, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 1738, regarding Clarence Barber, West Plains, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 1739, regarding the Fiftieth Wedding Anniversary of Don and Jeanie Replogle, Marshville, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 1740, regarding Eagle Scout Kyle Anthony Downes, Kansas City, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2014**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1370**, entitled:

An Act to repeal section 188.028, RSMo, and to enact in lieu thereof one new section relating to abortion.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1400** and **1425**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to camping trailer license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2230**, entitled:

An Act to repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1606**, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to an emergency training program for broadcasters.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1531**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the inspection of certain x-ray systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1386**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to an income tax deduction for volunteer firefighters.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2188, 1533, 1393, 2114 and 2113**, entitled:

An Act to repeal sections 67.1360, 94.902, 182.802, 192.300, 205.205, 221.407, 321.242, and 321.246,

RSMo, and to enact in lieu thereof nine new sections relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1716**, entitled:

An Act to repeal sections 173.1101, 173.1102, 173.1104, 173.1105, and 173.1107, RSMo, and to enact in lieu thereof five new sections relating to virtual education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2429**, entitled:

An Act to repeal section 287.090, RSMo, and to enact in lieu thereof one new section relating to volunteers for tax-exempt organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1675**, entitled:

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1598**, entitled:

An Act to repeal section 144.526, RSMo, and to enact in lieu thereof one new section relating to the show me green sales tax holiday.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 2397**, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to federal home loan banks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2355**, entitled:

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the juvenile justice advisory board.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2337**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to health insurance for students at public universities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1618**, entitled:

An Act to repeal sections 407.1380 and 407.1382, RSMo, and to enact in lieu thereof three new sections relating to identity theft.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2101**, entitled:

An Act to repeal section 311.091, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor on boats.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1678**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to student safety at public institutions of higher education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2238**, entitled:

An Act to repeal section 161.095, RSMo, and to enact in lieu thereof one new section relating to high school equivalency degree testing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 1983**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 1983**.

Senator Curls assumed the Chair.

On motion of Senator Curls, the Senate adjourned until 4:00 p.m., Tuesday, March 29, 2016.

SENATE CALENDAR

FORTY-SECOND DAY—TUESDAY, MARCH 29, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1477
HCS for HB 1474
HCS for HB 1729

HB 1414-Houghton
HB 1588-Franklin
HB 1728-Reiboldt

HB 1565-Engler
 HCS for HB 1433
 HCS for HB 2155
 HCS for HB 1387
 HCS for HB 1612
 HCS for HB 1817
 HCS for HB 1964
 HCS for HBs 1780 & 1420
 HB 1392-King
 HCS for HB 1480
 HCS for HB 1850
 HCS for HB 1419
 HCS for HB 1613
 HB 1721-Dugger
 HCS for HB 1449
 HCS for HB 1601
 HB 1827-McGaugh
 HCS for HB 1904
 HB 2111-Eggleston
 HB 1682-Frederick
 HB 2212-Hinson
 HB 2125-Fitzwater
 HCS for HB 1713
 HB 1855-Allen
 HCS for HB 1463
 HCS for HB 1599
 HB 1892-Rehder
 HCS for HB 1696
 HCS for HB 1875
 HCS for HB 1432
 HCS for HB 1649
 HB 1830-McGaugh
 HB 2257-Jones
 HB 1745-Brattin
 HCS for HB 2190
 HB 1643-Hicks
 HCS for HB 2180
 HB 1422-Walker
 HCS for HB 1451
 HCS for HB 1583
 HB 1698-Rowden

HB 1421-Walker
 HB 1546-Lauer
 HB 2058-Haahr
 HB 1556-Love
 HB 1530-Brown (57)
 HB 1709-Lair
 HB 2186-Ross
 HB 1388-Roeber
 HB 1538-Vescovo
 HB 1539-Vescovo
 HB 1559-McCann Beatty
 HB 1602-Ruth
 HB 1610-Swan
 HB 1622-Kelley
 HB 1710-Lair
 HB 2195-Hoskins
 HB 1851-Alferman
 HB 1777-Cierpiot
 HB 2183-Roeber
 HB 2335-Houghton
 HB 2369-Bahr
 HB 1958-Basye
 HCS for HB 2014
 HB 1370-Miller
 HCS for HBs 1400 & 1425
 HB 2230-Ross
 HB 1606-Kelley
 HB 1531-Brown
 HCS for HB 1386
 HCS for HBs 2188, 1533, 1393, 2114 & 2113
 HB 1716-Lichtenegger
 HB 2429-Dohrman
 HCS for HB 1675
 HCS for HB 1598
 HCS for HB 2397
 HB 2355-Lant
 HB 2337-Parkinson
 HCS for HB 1618
 HB 2101-Fitzpatrick
 HB 1678-Solon
 HB 2238-Gannon

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)

SCS for SB 855-Pearce (In Fiscal Oversight)

SB 997-Pearce (In Fiscal Oversight)
SCS for SB 800-Sater, et al
(In Fiscal Oversight)

SCS for SB 861-Wieland
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| 1. SB 680-Emery | 20. SB 986-Brown, with SCS |
| 2. SB 844-Parson | 21. SB 1002-Hegeman |
| 3. SB 772-Onder, with SCS | 22. SB 898-Cunningham |
| 4. SB 698-Hegeman, with SCS | 23. SBs 789 & 595-Wasson, with SCS |
| 5. SB 786-Kraus | 24. SB 659-Wasson |
| 6. SB 624-Libla | 25. SB 575-Schaefer, with SCS |
| 7. SB 590-Dixon, with SCS | 26. SB 827-Sifton |
| 8. SBs 661, 726 & 741-Dixon, with SCS | 27. SB 638-Riddle and Silvey, with SCS |
| 9. SBs 588, 603 & 942-Dixon and Curls,
with SCS | 28. SB 805-Onder, with SCS |
| 10. SB 618-Wallingford, with SCS | 29. SB 894-Munzlinger |
| 11. SB 681-Cunningham | 30. SB 985-Wasson |
| 12. SB 702-Munzlinger | 31. SB 932-Cunningham |
| 13. SB 1025-Kraus | 32. SB 576-Keaveny |
| 14. SB 856-Silvey, with SCS | 33. SB 577-Keaveny |
| 15. SB 988-Kraus | 34. SB 663-Dixon, with SCS |
| 16. SB 973-Wasson, with SCS | 35. SB 947-Parson |
| 17. SB 921-Riddle, with SCS | 36. SB 858-Romine, with SCS |
| 18. SB 801-Sater, with SCS | 37. SB 899-Parson |
| 19. SB 964-Wallingford, with SCS | 38. SB 806-Onder, with SCS |

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus) (In Fiscal Oversight)	HCS for HB 1418 (Kraus)
HJR 53-Dugger (Kraus) (In Fiscal Oversight)	HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)	SB 612-Cunningham
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SB 619-Wallingford	SB 802-Sater
SB 623-Libla	SB 816-Wieland, et al
SB 644-Onder, with SCS	SB 825-Munzlinger, with SA 1 (pending)
SB 706-Dixon	SB 916-Schaefer
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1575-Rowden, with SCA 1 (Onder)	
HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder)	

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 1983-Dogan, with SS for SCS, as
amended (Munzlinger)
(House adopted CCR & passed CCS)

Requests to Recede or Grant Conference

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House requests
Senate recede or grant conference)

RESOLUTIONS

To be Referred

HCS for HCR 73

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SECOND DAY—TUESDAY, MARCH 29, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If the only prayer you say in your whole life is “Thank you,” that would suffice.” (Meister Eckhart)

Heavenly Father we are so thankful for the time away, for its recreating and renewing us. You have refreshed our minds and energized our bodies so we might be ready to accomplish those things You have for us to complete. You have nourished us with Your word and rejuvenated our souls so we might be mindful of that which is important to You. Keep us, we pray, on a level path doing what is right and needful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 17, 2016 and Wednesday, March 23, 2016 were read and approved.

Senator Pearce assumed the Chair.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of former State Senator John T. Russell.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 1741, regarding Terry Traynor, Louisiana, which was adopted.

Senator Hegeman offered Senate Resolution No. 1742, regarding Blayre A. Messner, Albany, which was adopted.

Senator Schatz offered Senate Resolution No. 1743, regarding Silgan Plastic Food Containers, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 1744, regarding Pinckney Bend Distillery, New Haven, which was adopted.

Senator Schatz offered Senate Resolution No. 1745, regarding Intek Corporation, Union, which was adopted.

Senator Richard offered Senate Resolution No. 1746, regarding Jim Hamilton, which was adopted.

Senator Richard offered Senate Resolution No. 1747, regarding Dave Koester, which was adopted.

Senator Richard offered Senate Resolution No. 1748, regarding the late Larry Young, which was adopted.

Senator Richard offered Senate Resolution No. 1749, regarding Ralph Conduff, Carthage, which was adopted.

Senator Schaefer offered Senate Resolution No. 1750, regarding the death of Thomas Cameron Mericle, Ashland, which was adopted.

Senator Silvey offered Senate Resolution No. 1751, regarding Eilis Leptien, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 1752, regarding Faith Ordonio, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 1753, regarding Anne Tomes, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 1754, regarding Abby Tomes, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 1755, regarding Josephine Biggs, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 1756, regarding Emily Nicole Szczuka, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 1757, regarding Linda Woodrome, Waterloo, Illinois, which was adopted.

Senator Sifton offered Senate Resolution No. 1758, regarding Tom Brannan, St. Louis, which was

adopted.

Senator Sifton offered Senate Resolution No. 1759, regarding Lisa Leise, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1760, regarding Aimee Ebersohl, Columbia, Illinois, which was adopted.

Senator Sifton offered Senate Resolution No. 1761, regarding Kerrie Kern, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1762, regarding Lori Mayer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1763, regarding Dino Kiveric, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1764, regarding Heather Mattingly, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1765, regarding Diane Chinnici, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1766, regarding Walter Orbin Kaiser, Florissant, which was adopted.

Senator Brown offered Senate Resolution No. 1767, regarding Public House Brewing Company, Rolla, which was adopted.

Senator Curls offered Senate Resolution No. 1768, regarding Linwood Area Ministry Place, Kansas City, which was adopted.

Senator Schmitt offered Senate Resolution No. 1769, regarding Eagle Scout Jared Victor Schild, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1770, regarding Eagle Scout Alexander Poorman, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1771, regarding Andre's Banquets and Catering, which was adopted.

Senator Silvey offered Senate Resolution No. 1772, regarding Jamie Thon, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 1773, regarding Eagle Scout Patrick Garner, Saint Louis, which was adopted.

Senator Riddle offered Senate Resolution No. 1774, regarding Lay-Mac Farm, Lincoln County, which was adopted.

Senator Riddle offered Senate Resolution No. 1775, regarding Hoelting Farm, Lincoln County, which was adopted.

Senator Riddle offered Senate Resolution No. 1776, regarding Grothaus Farm, Lincoln County, which was adopted.

Senator Parson, joined by the entire membership, offered Senate Resolution No. 1777, regarding the death of former State Senator John T. Russell, Springfield, which was adopted.

Senator Riddle offered Senate Resolution No. 1778, regarding Beth Houf, Fulton, which was adopted.

Senator Silvey offered Senate Resolution No. 1779, regarding Eagle Scout Frank Gustav Reinsch, Kansas City, which was adopted.

Senator Schupp offered Senate Resolution No. 1780, regarding the Eighty-fifth Birthday of Joy Lieberman, University City, which was adopted.

Senator Romine offered Senate Resolution No. 1781, regarding Eagle Scout Timothy Scott Carron, II, Farmington, which was adopted.

Senator Brown offered Senate Resolution No. 1782, regarding Albert Hockett, Rolla, which was adopted.

Senator Wasson offered Senate Resolution No. 1783, regarding the 2015-2016 Class 3 state champion Strafford High School Girls Basketball Indians, which was adopted.

Senator Wasson offered Senate Resolution No. 1784, regarding Eagle Scout Carter Corey Norton, Ozark, which was adopted.

Senator Kehoe offered Senate Resolution No. 1785, regarding Sister Mary Jean Ryan, FSM, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Daryl R. Sorrell, as a member of the Seismic Safety Commission;

Also,

Mathew R. Martinez, as a student representative of the University of Central Missouri Board of Governors;

Also,

Judith E. Sandbothe, as a member of the Missouri Brain Injury Advisory Council; and

Joseph L. Driskill, as Military Advocate for the State of Missouri.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 1983**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1983

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1983, with Senate Amendment No. 1, Senate Amendment No. 2, and Senate Amendment No. 3 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1983, as amended;
2. That the House recede from its position on House Bill No. 1983;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1983, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Shamed Dogan
/s/ Jay Barnes
/s/ Caleb Rowden
/s/ Gail McCann Beatty
/s/ Gina Mitten

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Mike Kehoe
/s/ Bob Onder
/s/ Jason Holsman
/s/ Scott Sifton

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None**Absent—Senators—None****Absent with leave—Senators—None****Vacancies—2**

On motion of Senator Munzlinger, **CCS** for **SS** for **SCS** for **HB 1983**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1983

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to prohibiting elected officials from acting as paid political consultants.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Emery, **SB 680** was placed on the Informal Calendar.

Senator Parson moved that **SB 844** be taken up for perfection, which motion prevailed.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 844, Page 1, Section 272.030, Line 19, by inserting at the end of said line the following: **“However, if the owner is not found negligent and no other entity or person is found negligent, then the owner shall still be held liable for fifty percent of the damages sustained.”**.

Senator Schaaf moved that the above amendment be adopted.

Senator Emery offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Bill No. 844, Page 1, Section 272.030, Line 19, by inserting at the end of said line the

following: **“However, if the owner is not found negligent and no other entity or person is found negligent, then the owner shall still be held liable for not more than fifty percent of the damages sustained.”**.

Senator Emery moved that the above substitute amendment be adopted, which motion failed.

SA 1 was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Romine assumed the Chair.

On motion of Senator Munzlinger, **SB 844** was declared perfected and ordered printed.

PRIVILEGED MOTIONS

Senator Kehoe moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 2203**, as amended, and grant the House a conference thereon, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **HCS** for **HCR 73** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 2203**, as amended: Senators Kehoe, Onder, Wasson, Chappelle-Nadal and Sifton.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1477**—Financial and Governmental Organizations and Elections.

HCS for **HB 1474**—Rules, Joint Rules, Resolutions and Ethics.

HCS for **HB 1729**—Agriculture, Food Production and Outdoor Resources.

HB 1414—Agriculture, Food Production and Outdoor Resources.

HB 1588—Agriculture, Food Production and Outdoor Resources.

HB 1728—Agriculture, Food Production and Outdoor Resources.

HB 1565—Veterans’ Affairs and Health.

HCS for **HB 1433**—Seniors, Families and Children.

HCS for **HB 2155**—Education.

HCS for **HB 1387**—Veterans’ Affairs and Health.

HCS for **HB 1612**—Education.

HCS for **HB 1817**—Jobs, Economic Development and Local Government.

HCS for HB 1964—Small Business, Insurance and Industry.

HCS for HBs 1780 and 1420—Education.

HB 1392—Veterans’ Affairs and Health.

HCS for HB 1480—Financial and Governmental Organizations and Elections.

HCS for HB 1850—Veterans’ Affairs and Health.

HCS for HB 1419—Education.

HCS for HB 1613—Education.

HB 1721—Financial and Governmental Organizations and Elections.

HCS for HB 1449—Transportation, Infrastructure and Public Safety.

HCS for HB 1601—Education.

HB 1827—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1904—Commerce, Consumer Protection, Energy and the Environment.

HB 2111—Financial and Governmental Organizations and Elections.

HB 1682—Financial and Governmental Organizations and Elections.

HB 2212—Seniors, Families and Children.

HB 2125—Financial and Governmental Organizations and Elections.

HCS for HB 1713—Commerce, Consumer Protection, Energy and the Environment.

HB 1855—Veterans’ Affairs and Health.

HCS for HB 1463—Ways and Means.

HCS for HB 1599—Seniors, Families and Children.

HB 1892—Transportation, Infrastructure and Public Safety.

HCS for HB 1696—Seniors, Families and Children.

HCS for HB 1875—Veterans’ Affairs and Health.

HCS for HB 1432—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1649—Seniors, Families and Children.

HB 1830—Agriculture, Food Production and Outdoor Resources.

HB 2257—Small Business, Insurance and Industry.

HB 1745—Transportation, Infrastructure and Public Safety.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1912**, entitled:

An Act to repeal sections 49.330, 49.410, 49.420, 49.430, 49.440, 50.660, 50.783, 50.790, 55.161, 64.875, 192.300, and 197.315, RSMo, and to enact in lieu thereof twelve new sections relating to political subdivisions, with penalty provisions, and an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1776**, entitled:

An Act to repeal section 313.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to bingo, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2108**, entitled:

An Act to repeal section 143.591, RSMo, and to enact in lieu thereof one new section relating to tax returns of information.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2029**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to step therapy for prescription drugs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2402**, entitled:

An Act to repeal sections 197.315 and 536.031, RSMo, and to enact in lieu thereof three new sections relating to administrative rules for the regulation of health care facilities, with an emergency clause for a

certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2453**, entitled:

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1976**, entitled:

An Act to repeal sections 385.200, 385.206, 385.300, and 385.306, RSMo, and to enact in lieu thereof six new sections relating to motor vehicle services, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1788**, entitled:

An Act to repeal sections 226.030 and 226.120, RSMo, and to enact in lieu thereof two new sections relating to the highways and transportation commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1936**, entitled:

An Act to repeal section 57.111, RSMo, and to enact in lieu thereof one new section relating to the authority of sheriffs and deputy sheriffs to render assistance in other counties.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1620**, entitled:

An Act to repeal section 452.314, RSMo, and to enact in lieu thereof one new section relating to family law proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2194**, entitled:

An Act to repeal sections 375.004 and 379.118, RSMo, and to enact in lieu thereof two new sections relating to the renewal of insurance policies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2591**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto six new sections relating to the designation of highways.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1786, regarding Harris-Stowe State University, which was adopted.

COMMUNICATIONS

Senator Nasheed submitted the following:

March 29, 2016

Adriane Crouse

Secretary of the Senate

Rm. 325

Jefferson City, MO

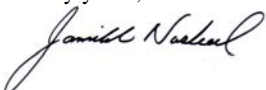
65101

Dear Adriane,

I respectfully request that with my absence that Sen. Keaveny be allowed to carry SB 833 and Sen. Walsh be allowed to carry SB 627 as they proceed to the floor this week for debate.

If you have any questions, comments and concerns please contact my office (573) 751-4415.

Sincerely yours,



Jamilah Nasheed

State Senator

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Bill Lockwood, Jefferson City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-THIRD DAY—WEDNESDAY, MARCH 30, 2016

FORMAL CALENDAR**VETOED BILLS**

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 2190	HB 2195-Hoskins
HB 1643-Hicks	HB 1851-Alferman
HCS for HB 2180	HB 1777-Cierpiot
HB 1422-Walker	HB 2183-Roeber
HCS for HB 1451	HB 2335-Houghton
HCS for HB 1583	HB 2369-Bahr
HB 1698-Rowden	HB 1958-Basye
HB 1421-Walker	HCS for HB 2014
HB 1546-Lauer	HB 1370-Miller
HB 2058-Haahr	HCS for HBs 1400 & 1425
HB 1556-Love	HB 2230-Ross
HB 1530-Brown (57)	HB 1606-Kelley
HB 1709-Lair	HB 1531-Brown
HB 2186-Ross	HCS for HB 1386
HB 1388-Roeber	HCS for HBs 2188, 1533, 1393, 2114 & 2113
HB 1538-Vescovo	HB 1716-Lichtenegger
HB 1539-Vescovo	HB 2429-Dohrman
HB 1559-McCann Beatty	HCS for HB 1675
HB 1602-Ruth	HCS for HB 1598
HB 1610-Swan	HCS for HB 2397
HB 1622-Kelley	HB 2355-Lant
HB 1710-Lair	HB 2337-Parkinson

HCS for HB 1618
HB 2101-Fitzpatrick
HB 1678-Solon
HB 2238-Gannon
HCS for HB 1912
HCS for HB 1776
HCS for HB 2108
HCS for HB 2029

HCS for HB 2402
HCS for HB 2453
HCS for HB 1976
HCS for HB 1788
HB 1936-Wilson
HB 1620-Kelley
HCS for HB 2194
HB 2591-Richardson

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)
SCS for SB 855-Pearce (In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)

SCS for SB 800-Sater, et al (In Fiscal Oversight)
SCS for SB 861-Wieland (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 772-Onder, with SCS
2. SB 698-Hegeman, with SCS
3. SB 786-Kraus
4. SB 624-Libla
5. SB 590-Dixon, with SCS
6. SBs 661, 726 & 741-Dixon, with SCS
7. SBs 588, 603 & 942-Dixon and Curls,
with SCS
8. SB 618-Wallingford, with SCS
9. SB 681-Cunningham
10. SB 702-Munzlinger
11. SB 1025-Kraus
12. SB 856-Silvey, with SCS
13. SB 988-Kraus
14. SB 973-Wasson, with SCS
15. SB 921-Riddle, with SCS
16. SB 801-Sater, with SCS
17. SB 964-Wallingford, with SCS
18. SB 986-Brown, with SCS

19. SB 1002-Hegeman
20. SB 898-Cunningham
21. SBs 789 & 595-Wasson, with SCS
22. SB 659-Wasson
23. SB 575-Schaefer, with SCS
24. SB 827-Sifton
25. SB 638-Riddle and Silvey, with SCS
26. SB 805-Onder, with SCS
27. SB 894-Munzlinger
28. SB 985-Wasson
29. SB 932-Cunningham
30. SB 576-Keaveny
31. SB 577-Keaveny
32. SB 663-Dixon, with SCS
33. SB 947-Parson
34. SB 858-Romine, with SCS
35. SB 899-Parson
36. SB 806-Onder, with SCS

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)
HJR 53-Dugger (Kraus) (In Fiscal Oversight)

HCS for HB 1418 (Kraus)
HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)	SB 802-Sater
SB 612-Cunningham	SB 816-Wieland, et al
SB 619-Wallingford	SB 825-Munzlinger, with SA 1 (pending)
SB 623-Libla	SB 916-Schaefer
SB 644-Onder, with SCS	SB 980-Keaveny, with SCS, SS for SCS, SA 1
SB 680-Emery	& SA 3 to SA 1 (pending)
SB 706-Dixon	
SB 785-Schaefer, with SCS, SS for SCS,	
SA 1, SSA 1 for SA 1, SA 1 to SSA 1	
for SA 1 & point of order (pending)	

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1575-Rowden, with SCA 1 (Onder)	
HB 2166-Alferman, with SCS & SS for SCS	
(pending) (Onder)	

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS	SB 833-Nasheed
SB 627-Nasheed	SB 864-Sater
SB 646-Schupp, with SCS	SB 738-Parson
SB 831-Wasson	

Reported 2/25

SB 994-Munzlinger	SB 781-Schatz, with SCS
SB 836-Wasson, with SCS	SB 1009-Riddle, with SCS
SB 735-Dixon	SB 909-Sater
SB 897-Hegeman	SB 852-Brown
SB 888-Walsh	SB 625-Walsh
SBs 905 & 992-Sifton, with SCS	

Reported 3/3

SB 915-Schaefer

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-THIRD DAY—WEDNESDAY, MARCH 30, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those of steadfast mind You keep in peace - in peace because they trust in You.” (Isaiah 26:3)

Gracious God we are beginning to see the many challenges that are ahead of us and we ask what it is You would have us do. Help us keep our mind on You as we deal with one another and may we encourage there be peace among us as we move forward and in the actions we take during our time here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net was given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1787, regarding the Fiftieth Wedding Anniversary of Robert and Donna Bohm, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 1788, regarding the Fiftieth Wedding Anniversary of John and Janie Messner, Lebanon, which was adopted.

Senator Parson offered Senate Resolution No. 1789, regarding the Fiftieth Wedding Anniversary of Roy and Gloria Rhoads, Sedalia, which was adopted.

SENATE BILLS FOR PERFECTION

At the request of Senator Onder, **SB 772** was placed on the Informal Calendar.

Senator Hegeman moved that **SB 698**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 698**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 698

An Act to repeal section 473.730, RSMo, and to enact in lieu thereof one new section relating to the bonding requirements of public administrators.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 698** be adopted.

Senator Hegeman offered **SS** for **SCS** for **SB 698**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 698

An Act to repeal sections 404.717, 456.590, 456.3-304, 456.4B-411, 456.7-706, 469.467, 473.050, and 473.730, RSMo, and to enact in lieu thereof seven new sections relating to the administration of estates.

Senator Hegeman moved that **SS** for **SCS** for **SB 698** be adopted.

Senator Onder assumed the Chair.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 698, Page 10, Section 473.730, Lines 21-25, by striking all of said lines and inserting in lieu thereof the follow: “personal and business taxes. **Within six business days of filing for office, each candidate for public administrator shall provide to the election authority a copy of a signed affidavit from a surety company, indicating that the candidate is eligible to obtain a bond in an amount that meets the bond requirements for the office of public administrator under this section.**”.

Senator Emery moved that the above amendment be adopted, which motion failed.

Senator Hegeman moved that **SS** for **SCS** for **SB 698** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SCS** for **SB 698** was declared perfected and ordered printed.

Senator Kraus moved that **SB 786** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 786**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 786

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to the prosecution of election offenses.

Senator Kraus moved that **SS** for **SB 786** be adopted.

At the request of Senator Kraus, **SB 786**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 698** and **SB 844**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 2203**, as amended. Representatives: Barnes, Alferman, Jones, Mitten, McCann Beatty.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Riddle.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1790, regarding the New Florence Police Department, Montgomery County Sheriffs's Department, Montgomery City Police Department, East Central Drug Task Force, Missouri Highway Patrol, Missouri Department of Conservation, Federal Bureau of Investigation (FBI), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which was adopted.

Senator Schaefer offered Senate Resolution No. 1791, regarding Eagle Scout Joe Lawson, Columbia, which was adopted.

Senator Cunningham offered Senate Resolution No. 1792, regarding Ruth Stewart, West Plains, which was adopted.

Senator Schaefer offered **SR 1793**:

SENATE RESOLUTION NO. 1793

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned Parenthood and any of its affiliates and associates might engage in such alleged activities;
4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and
5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood; and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Mary Kogut of Planned Parenthood of the St. Louis Region and Southwest Missouri (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Ms. Kogut on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Ms. Kogut to provide the records contained in Attachment A to the subpoena within fourteen days after receiving service of the subpoena; and

Whereas, on December 4, 2015, an attorney representing Planned Parenthood of the St. Louis Region and Southwest Missouri (PPSLR) sent a letter to President Pro Tempore Richard objecting to the subpoena and indicating that PPSLR would not be producing responsive documents; and

Whereas, to this day, PPSLR has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that it intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by PPSLR in the time period denoted in the subpoena duces tecum; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states "Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose."; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that "Each house [of the General Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions..."; and

Whereas, Ms. Kogut and PPSLR have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and section 21.400, RSMo:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby declare that the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate is an insult to this body, and intended as such by Mary Kogut and PPSLR, and constitutes and is in contempt of the power and authority of the Missouri Senate; and

Be It Further Resolved that Ms. Kogut and PPSLR had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from PPSLR would be important and material for the Committee in fulfilling its legislative duties; that it was the duty of Ms. Kogut and PPSLR to have provided the requested documents; and

Be It Further Resolved that Ms. Kogut be summoned to appear at the bar of this body and show cause why she should not be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to the issue the necessary process to bring Ms. Kogut to the Senate Chamber within the Missouri State Capitol on April 18, 2016, at 10:00 a.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE

MISSOURI SENATE

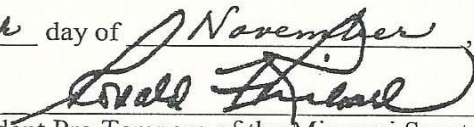
A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
COUNTY OF COLE)

THE STATE OF MISSOURI, TO Mary M. Kogut
 Planned Parenthood of the St. Louis Region and
 Southwest Missouri
 4251 Forest Park Avenue
 St. Louis, MO 63108

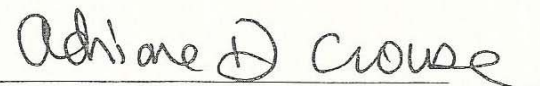
YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to
provide the records set forth in Attachment A by the close of business on the 14th day after
receiving service of this subpoena to the Senate Administrator's Office, Room 324, State Capitol
Building, Jefferson City, Missouri 65101.

WITNESS my signature on this 24th day of November, 2015.



President Pro Tempore of the Missouri Senate


ATTEST:



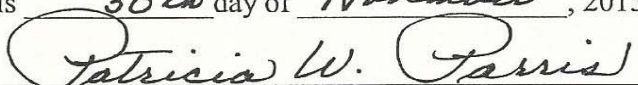
Secretary of the Senate

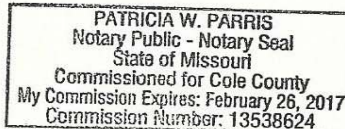
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS CITY ^{JB} County, Missouri,
~~to the person named above~~ ^{* CATNY WILLIAMS} at 4:15 p.m. (time) on this 24th (day) of
NOVEMBER (month), 2015, at 4251 FOREST PARK AVE.,
ST. LOUIS, MO. 63108 (location).


 Designated Server

Subscribed and sworn to before me this 30th day of November, 2015.


 Notary Public



* CATNY WILLIAMS
 V.P. OF HUMAN RESOURCES & COMPLIANCE
 PLANNED PARENTHOOD OF THE ST. LOUIS REGION
 AND SOUTHWEST MISSOURI

Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Planned Parenthood or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Planned Parenthood from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to the sale, reimbursement or any fee for the donation or transfer of any human fetal tissue, including any contracts with entities for the disposal of fetal human tissue and medical waste in general;
2. All documents or written communications relating to the disposal of any human tissue or fetal remains, including any policies and procedures utilized by Planned Parenthood for such disposal;
3. All documents which make any reference to establishing procedures for how and where all human tissue is sent and/or disposed of;
4. All documents or written communications relating to the transfer of human tissue or fetal remains to a pathologist or pathology laboratory, including any contracts with a pathologist or pathology laboratory for the examination and/or disposal of human tissue or fetal remains;
5. All documents to or from or that make any reference to Dr. Mary Gatter;
6. All documents to or from or that make any reference to Dr. Deborah Nucatola;
7. All documents that record an incident where an emergency medical technician and/or an ambulance has been dispatched to a facility operated by Planned Parenthood;
8. All documents on policies for maintaining a safe environment in the facility and segregation and storage of pathological waste;
9. All documents relating to policies of Planned Parenthood on informed consent procedures, including any counseling or discussion provided to clients regarding the transfer or disposal of human fetal body parts or tissue;
10. All documents relating to the procedures used by a facility operated by Planned Parenthood to perform abortions;
11. Any document that encompasses the standard operating procedure or written protocol for chemical, surgical, and/or medication induced abortions;
12. Any consent form that must be signed by a patient prior to any chemical, surgical, and/or medication induced abortion; and
13. Copies of all consent forms a patient must sign prior to being administered any anesthetic drugs.

Senator Schaefer offered SR 1794:

SENATE RESOLUTION NO. 1794

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
 2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
 3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned Parenthood and any of its affiliates and associates might engage in such alleged activities;
 4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and
 5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood;
- and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Dr. James Miller, Pathology Services, Inc. (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Dr. Miller on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Dr. Miller and Pathology Services, Inc. to designate a knowledgeable person to appear before the Committee on Wednesday, December 2, 2015, to testify before the Committee and to provide the records contained in Attachment A to the subpoena at such time; and

Whereas, on December 1, 2015, Senator Schaefer, as chairman of the Committee, sent a letter to Dr. Miller extending the deadline to appear before the Committee to December 9, 2015, and Senator Schaefer sent another letter to Dr. Miller extending the deadline to appear before the Committee to December 16, 2015; and

Whereas, on December 10, 2015, an attorney representing Dr. Miller and Pathology Services sent by fax and via USPS a document to Senator Richard entitled "Objections to the Subpoena Duces Tecum Issued to Dr. James Miller and Pathology Services Inc."; and

Whereas, to this day, Dr. Miller has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that he intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by Dr. Miller in the time period denoted in the subpoena duces tecum and the letters from Senator Schaefer to Dr. Miller; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states "Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose."; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that "Each house [of the General Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions..."; and

Whereas, Dr. Miller and Pathology Services Inc. have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and Section 21.400, RSMo:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby declare that the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate is an insult to this body, and intended as such by Dr. James Miller and Pathology Services Inc., and constitutes and is in contempt of the power and authority of the Missouri

Senate; and

Be It Further Resolved that Dr. James Miller and Pathology Services Inc. had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from Dr. Miller and Pathology Services Inc. would be important and material for the Committee in fulfilling its legislative duties; that it was the duty of Dr. James Miller and Pathology Services Inc. to have provided the requested documents; and

Be It Further Resolved that Dr. Miller be summoned to appear at the bar of this body and show cause why he should not be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to the issue the necessary process to bring Dr. Miller to the Senate Chamber within the Missouri State Capitol on April 18, 2016, at 10:00 a.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE

MISSOURI SENATE

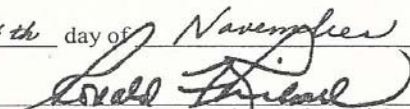
A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
COUNTY OF COLE)

THE STATE OF MISSOURI, TO Dr. James Miller
 Pathology Services, Inc.
 2916 South Brentwood Blvd.
 St. Louis, MO 63144

YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to designate one or more officers, directors, or other agents who are knowledgeable about the matters referenced in Attachment A to appear in proper person before the Senate Interim Committee on the Sanctity of Life on Wednesday, December 2, 2015, at 1:00 p.m, in Senate Committee Room 2, State Capitol Building, Jefferson City, Missouri 65101, to testify then and there and speak the truth in a certain inquiry now before said Interim Committee on the Sanctity of Life of the Missouri Senate and you are further commanded to bring with you and then and there produce in evidence the records set forth in Attachment A.

WITNESS my signature on this 24th day of November, 2015.


President Pro Tempore of the Missouri Senate

ATTEST:

Caroline D. Crouse
Secretary of the Senate

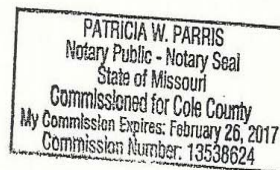
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS County, Missouri,
ANGIE FOWLER
delivering a copy to ~~the person named above~~ at 3:35 p.m. (time) on this 24TH (day) of
NOVEMBER (month), 2015, at 2916 SOUTH BRENTWOOD
BLVD., ST. LOUIS, MO. 63144 (location).

[Signature]
Designated Server

Subscribed and sworn to before me this 20th day of November, 2015.

Patricia W. Parris
Notary Public



Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Pathology Services, Inc., or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Pathology Services, Inc., from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to all procedures for accepting and handling human tissue and fetal remains originating from Planned Parenthood;
2. All documents relating to the procedures for examining and evaluating human tissue and fetal remains;
3. All documents relating to Pathology Services' standard procedures for handling and disposing of human tissue, including waste tracking and certification of disposal;
4. All documents relating to the procedures for handling and disposing of human tissue and fetal remains originating from Planned Parenthood, including waste tracking and certification of disposal, if such procedures differ in any way from Pathology Services' standard procedures for handling and disposing of human tissue;
5. All documents which establish or relate to the creation and contents of pathology reports as required under Section 188.047, RSMo, including all documents relating to the submission of such reports to Planned Parenthood and to the Missouri Department of Health and Senior Services;
6. All documents relating to any contracts with any entity for the transfer and/or disposal of human tissue and fetal remains; and
7. All documents relating to any contracts with Planned Parenthood for the transfer, examination, and/or disposal of human tissue or fetal remains.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 786**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 786** was again taken up.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 786, Page 1, Section 115.642, Line 7, by inserting after “offense.” the following: “**Within thirty days of receiving a complaint, the secretary of state shall notify the person filing the complaint whether or not the secretary has dismissed the complaint or will commence an investigation.**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **SB 786**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 786**, as amended, was declared perfected and ordered printed.

Senator Libla moved that **SB 623** be taken up for perfection, which motion prevailed.

Senator Libla offered **SS** for **SB 623**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 623

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes, with a referendum clause.

Senator Libla moved that **SS** for **SB 623** be adopted.

Senator Pearce assumed the Chair.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 623, Page 3, Section 142.803, Line 20, by inserting immediately after said line the following:

“3. The provisions of sections 290.210 to 290.340 shall not apply to any project undertaken by the department of transportation that utilizes revenue earned under the provisions of subdivision (1) of subsection 1 of this section.”.

Senator Brown moved that the above amendment be adopted, which motion failed.

Senator Libla moved that **SS** for **SB 623** be adopted, which motion prevailed.

On motion of Senator Libla, **SS** for **SB 623** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 786**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 624** be taken up for perfection, which motion prevailed.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 624, Page 1, In the Title, Lines 4-5, by striking all of said lines and inserting in lieu thereof the following: “relating to stealing, with penalty provisions.”; and

Further amend said bill and page, section A, line 3, by inserting after all of said line the following:

“570.010. As used in this chapter:

(1) “Adulterated” means varying from the standard of composition or quality prescribed by statute or lawfully promulgated administrative regulations of this state lawfully filed, or if none, as set by commercial usage;

(2) “Appropriate” means to take, obtain, use, transfer, conceal or retain possession of;

(3) “Coercion” means a threat, however communicated:

(a) To commit any crime; or

(b) To inflict physical injury in the future on the person threatened or another; or

(c) To accuse any person of any crime; or

(d) To expose any person to hatred, contempt or ridicule; or

(e) To harm the credit or business repute of any person; or

(f) To take or withhold action as a public servant, or to cause a public servant to take or withhold action;
or

(g) To inflict any other harm which would not benefit the actor. A threat of accusation, lawsuit or other invocation of official action is not coercion if the property sought to be obtained by virtue of such threat was honestly claimed as restitution or indemnification for harm done in the circumstances to which the accusation, exposure, lawsuit or other official action relates, or as compensation for property or lawful service. The defendant shall have the burden of injecting the issue of justification as to any threat;

(4) “Credit device” means a writing, number or other device purporting to evidence an undertaking to pay for property or services delivered or rendered to or upon the order of a designated person or bearer;

(5) “Dealer” means a person in the business of buying and selling goods;

(6) “Debit device” means a card, code, number or other device, other than a check, draft or similar paper instrument, by the use of which a person may initiate an electronic fund transfer, including but not limited to devices that enable electronic transfers of benefits to public assistance recipients;

(7) “Deceit” means purposely making a representation which is false and which the actor does not believe to be true and upon which the victim relies, as to a matter of fact, law, value, intention or other state of mind. The term “deceit” does not, however, include falsity as to matters having no pecuniary significance, or puffing by statements unlikely to deceive ordinary persons in the group addressed.

Deception as to the actor's intention to perform a promise shall not be inferred from the fact alone that he did not subsequently perform the promise;

(8) “Deprive” means:

- (a) To withhold property from the owner permanently; or
- (b) To restore property only upon payment of reward or other compensation; or
- (c) To use or dispose of property in a manner that makes recovery of the property by the owner unlikely;

(9) **“Financial institution” means a bank, trust company, savings and loan association, or credit union;**

(10) “Misabeled” means varying from the standard of truth or disclosure in labeling prescribed by statute or lawfully promulgated administrative regulations of this state lawfully filed, or if none, as set by commercial usage; or represented as being another person's product, though otherwise accurately labeled as to quality and quantity;

[(10)] (11) “New and unused property” means tangible personal property that has never been used since its production or manufacture and is in its original unopened package or container if such property was packaged;

[(11)] (12) “Of another” property or services is that “of another” if any natural person, corporation, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest therein, except that property shall not be deemed property of another who has only a security interest therein, even if legal title is in the creditor pursuant to a conditional sales contract or other security arrangement;

[(12)] (13) “Property” means anything of value, whether real or personal, tangible or intangible, in possession or in action, and shall include but not be limited to the evidence of a debt actually executed but not delivered or issued as a valid instrument;

[(13)] (14) “Receiving” means acquiring possession, control or title or lending on the security of the property;

[(14)] (15) “Services” includes transportation, telephone, electricity, gas, water, or other public service, accommodation in hotels, restaurants or elsewhere, admission to exhibitions and use of vehicles;

[(15)] (16) “Writing” includes printing, any other method of recording information, money, coins, negotiable instruments, tokens, stamps, seals, credit cards, badges, trademarks and any other symbols of value, right, privilege or identification.

570.030. 1. A person commits the offense of stealing if he or she:

(1) Appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion;

(2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion; or

(3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or disposes of

property of another knowing that it has been stolen, or believing that it has been stolen.

2. The offense of stealing is a class A felony if the property appropriated consists of any of the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail tank car, bulk storage tank, field nurse, field tank or field applicator.

3. The offense of stealing is a class B felony if:

(1) The property appropriated or attempted to be appropriated consists of any amount of anhydrous ammonia or liquid nitrogen;

(2) The property consists of any animal considered livestock as the term livestock is defined in section 144.010, or any captive wildlife held under permit issued by the conservation commission, and the value of the animal or animals appropriated exceeds three thousand dollars and that person has previously been found guilty of appropriating any animal considered livestock or captive wildlife held under permit issued by the conservation commission. Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison term of not less than eighty percent of his or her sentence before he or she is eligible for probation, parole, conditional release, or other early release by the department of corrections;

(3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft, and that person has previously been found guilty of two stealing-related offenses committed on two separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense; [or]

(4) The property appropriated or attempted to be appropriated consists of any animal considered livestock as the term is defined in section 144.010 if the value of the livestock exceeds ten thousand dollars;
or

(5) The property appropriated or attempted to be appropriated is owned by or in the custody of a financial institution and the property is taken or attempted to be taken physically from an individual person to deprive the owner or custodian of the property.

4. The offense of stealing is a class C felony if the value of the property or services appropriated is twenty-five thousand dollars or more.

5. The offense of stealing is a class D felony if:

(1) The value of the property or services appropriated is seven hundred fifty dollars or more;

(2) The offender physically takes the property appropriated from the person of the victim; or

(3) The property appropriated consists of:

(a) Any motor vehicle, watercraft or aircraft;

(b) Any will or unrecorded deed affecting real property;

(c) Any credit device, debit device or letter of credit;

(d) Any firearms;

(e) Any explosive weapon as defined in section 571.010;

(f) Any United States national flag designed, intended and used for display on buildings or stationary flagstaves in the open;

(g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri;

(h) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States;

(i) Any book of registration or list of voters required by chapter 115;

(j) Any animal considered livestock as that term is defined in section 144.010;

(k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;

(l) Any captive wildlife held under permit issued by the conservation commission;

(m) Any controlled substance as defined by section 195.010;

(n) Ammonium nitrate;

(o) Any wire, electrical transformer, or metallic wire associated with transmitting telecommunications, video, internet, or voice over internet protocol service, or any other device or pipe that is associated with conducting electricity or transporting natural gas or other combustible fuels; or

(p) Any material appropriated with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues.

6. The offense of stealing is a class E felony if:

(1) The property appropriated is an animal; or

(2) A person has previously been found guilty of three stealing-related offenses committed on three separate occasions where such offenses occurred within ten years of the date of occurrence of the present offense.

7. The offense of stealing is a class D misdemeanor if the property is not of a type listed in subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one hundred fifty dollars, and the person has no previous findings of guilt for a stealing-related offense.

8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this section.

9. If a violation of this section is subject to enhanced punishment based on prior findings of guilt, such findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.

10. The appropriation of any property or services of a type listed in subsection 2, 3, 5, or 6 of this section or of a value of seven hundred fifty dollars or more may be considered a separate felony and may be charged in separate counts.

11. The value of property or services appropriated pursuant to one scheme or course of conduct, whether from the same or several owners and whether at the same or different times, constitutes a single criminal episode and may be aggregated in determining the grade of the offense, except as set forth in subsection 10 of this section.

570.030. 1. A person commits the crime of stealing if he or she appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion.

2. Evidence of the following is admissible in any criminal prosecution pursuant to this section on the issue of the requisite knowledge or belief of the alleged stealer:

(1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;

(2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;

(3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;

(4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse;

(5) That he or she, with intent to cheat or defraud a retailer, possesses, uses, utters, transfers, makes, alters, counterfeits, or reproduces a retail sales receipt, price tag, or universal price code label, or possesses with intent to cheat or defraud, the device that manufactures fraudulent receipts or universal price code labels.

3. Notwithstanding any other provision of law, any offense in which the value of property or services is an element is a class C felony if:

(1) The value of the property or services appropriated is five hundred dollars or more but less than twenty-five thousand dollars; or

(2) The actor physically takes the property appropriated from the person of the victim; or

(3) The property appropriated consists of:

(a) Any motor vehicle, watercraft or aircraft; or

(b) Any will or unrecorded deed affecting real property; or

(c) Any credit card or letter of credit; or

(d) Any firearms; or

(e) Any explosive weapon as defined in section 571.010; or

(f) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or

(g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or

(h) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or

(i) Any book of registration or list of voters required by chapter 115; or

(j) Any animal considered livestock as that term is defined in section 144.010; or

(k) Live fish raised for commercial sale with a value of seventy-five dollars; or

- (l) Captive wildlife held under permit issued by the conservation commission; or
- (m) Any controlled substance as defined by section 195.010; or
- (n) Anhydrous ammonia;
- (o) Ammonium nitrate; or
- (p) Any document of historical significance which has fair market value of five hundred dollars or more.

4. Notwithstanding any other provision of law, stealing of any animal considered livestock, as that term is defined in section 144.010, is a class B felony if the value of the livestock exceeds ten thousand dollars.

5. If an actor appropriates any material with a value less than five hundred dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class C felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class B felony. The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

6. If the actor appropriates or attempts to appropriate property that is owned by or in the custody of a financial institution and the property is taken or attempted to be taken physically from an individual person to deprive the owner or custodian of the property, the theft is a class B felony.

7. The theft of any item of property or services pursuant to subsection 3 of this section which exceeds five hundred dollars may be considered a separate felony and may be charged in separate counts.

[7.] **8.** Any person with a prior conviction of paragraph (j) or (l) of subdivision (3) of subsection 3 of this section and who violates the provisions of paragraph (j) or (l) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony. Notwithstanding any provision of law to the contrary, such person shall serve a minimum prison term of not less than eighty percent of his or her sentence before he or she is eligible for probation, parole, conditional release, or other early release by the department of corrections.

[8.] **9.** Any offense in which the value of property or services is an element is a class B felony if the value of the property or services equals or exceeds twenty-five thousand dollars.

[9.] **10.** Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

On motion of Senator Libla, **SB 624**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1795, regarding Stanley Fiene, Alma, which was adopted.

Senator Pearce offered Senate Resolution No. 1796, regarding Janet West, Kingsville, which was adopted.

Senator Pearce offered Senate Resolution No. 1797, regarding C.L. Holdren, Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Schaefer, Senator Kehoe introduced to the Senate, Ava Martin, Elizabeth Martin and Shelby Bryant, Columbia; Allyssa Johnson, Hartsburg; and Emilie Fitzwater, Lake Ozark, representatives of America's US Miss Scholarship Program.

Senator Romine introduced to the Senate, Larry Joseph, Desloge; and Mike Ramsey, Farmington.

Senator Cunningham introduced to the Senate, Bob and Debbie Kastning, and their daughter Ellie, Seymour; and Ellie was made an honorary page.

Senator Holsman introduced to the Senate, representatives of Leadership South Kansas City.

On behalf of Senator Nasheed and himself, Senator Keaveny introduced to the Senate, Dr. Dwaun Warmack, Harris-Stowe State University, St. Louis.

Senator Romine introduced to the Senate, Charles Statler, Brad Daugherty, Kenneth Hampton, Ron Ruess and Mark Litzinger, Festus; and Mike Lamb, DeSoto.

Senator Schaaf introduced to the Senate, Rex Howell, Jefferson City.

Senator Onder introduced to the Senate, Steve Belko, and his children Savannah and A.J., Dardenne Prairie.

Senator Cunningham introduced to the Senate, Loretta Fuge, Psy.D., Mansfield.

On behalf of Senator Kehoe and herself, Senator Schupp introduced to the Senate, Natalie Schroeder and Samuel J. Wyrick, Immaculate Conception School, Jefferson City; and Natalie and Sam were made honorary pages.

Senator Kehoe introduced to the Senate, Leslie Jeffries, Susie Schaefer-Hinds, teachers and fourth grade students from Immaculate Conception School, Jefferson City.

Senator Wasson introduced to the Senate, Coaches Steve Frank and Jesse Alsup; and Taylor Chrisman, McKinzie Maples, Alexis Combs, Zoey Mullings, Kyndall Compton, Abby Oliver, Paige Danielson, Chloe Rear, Kayla Eagleburger, Karly Soden, Logan Eden, Shayla Stark, Hayley Frank, Kayley Frank, Kaylee Larimer and Milkayla Lorenz, members of the Class 3A State Championship High School Girls Basketball Indians, Strafford.

Senator Emery introduced to the Senate, Dr. Erwin W. Lutzer, Chicago, Illinois.

Senator Emery introduced to the Senate, Richard P. Bott, II, Overland Park, Kansas.

Senator Curls introduced to the Senate, members of Alph Phi Alpha Fraternity, Inc.

On behalf of Senator Brown and himself, Senator Kehoe introduced to the Senate, the Physician of the Day, George Hubbell, M.S., M.D., Lake Ozark.

Senator Kehoe introduced to the Senate, teachers, parents and students from Thomas Jefferson Middle School, Jefferson City.

Senator Richard introduced to the Senate, Charlie Penner, Joplin; and Larry Glaze, Carthage.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FOURTH DAY—THURSDAY, MARCH 31, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 2190

HB 1643-Hicks

HCS for HB 2180

HB 1422-Walker

HCS for HB 1451

HCS for HB 1583

HB 1698-Rowden

HB 1421-Walker

HB 1546-Lauer

HB 2058-Haahr

HB 1556-Love

HB 1530-Brown (57)

HB 1709-Lair

HB 2186-Ross

HB 1388-Roeber

HB 1538-Vescovo

HB 1539-Vescovo

HB 1559-McCann Beatty

HB 1602-Ruth

HB 1610-Swan

HB 1622-Kelley

HB 1710-Lair

HB 2195-Hoskins

HB 1851-Alferman

HB 1777-Cierpiot

HB 2183-Roeber

HB 2335-Houghton

HB 2369-Bahr

HB 1958-Basye

HCS for HB 2014

HB 1370-Miller

HCS for HBs 1400 & 1425

HB 2230-Ross

HB 1606-Kelley

HB 1531-Brown

HCS for HB 1386

HCS for HBs 2188, 1533, 1393, 2114 & 2113

HB 1716-Lichtenegger

HB 2429-Dohrman
HCS for HB 1675
HCS for HB 1598
HCS for HB 2397
HB 2355-Lant
HB 2337-Parkinson
HCS for HB 1618
HB 2101-Fitzpatrick
HB 1678-Solon
HB 2238-Gannon
HCS for HB 1912

HCS for HB 1776
HCS for HB 2108
HCS for HB 2029
HCS for HB 2402
HCS for HB 2453
HCS for HB 1976
HCS for HB 1788
HB 1936-Wilson
HB 1620-Kelley
HCS for HB 2194
HB 2591-Richardson

THIRD READING OF SENATE BILLS

SB 783-Onder (In Fiscal Oversight)
SCS for SB 855-Pearce
(In Fiscal Oversight)
SB 997-Pearce (In Fiscal Oversight)
SCS for SB 800-Sater, et al
(In Fiscal Oversight)

SCS for SB 861-Wieland
(In Fiscal Oversight)
SS for SCS for SB 698-Hegeman
SB 844-Parson
SS for SB 786-Kraus

SENATE BILLS FOR PERFECTION

1. SB 590-Dixon, with SCS
2. SBs 661, 726 & 741-Dixon, with SCS
3. SBs 588, 603 & 942-Dixon and Curls,
with SCS
4. SB 618-Wallingford, with SCS
5. SB 681-Cunningham
6. SB 702-Munzlinger
7. SB 1025-Kraus
8. SB 856-Silvey, with SCS
9. SB 988-Kraus
10. SB 973-Wasson, with SCS
11. SB 921-Riddle, with SCS
12. SB 801-Sater, with SCS
13. SB 964-Wallingford, with SCS
14. SB 986-Brown, with SCS
15. SB 1002-Hegeman
16. SB 898-Cunningham

17. SBs 789 & 595-Wasson, with SCS
18. SB 659-Wasson
19. SB 575-Schaefer, with SCS
20. SB 827-Sifton
21. SB 638-Riddle and Silvey, with SCS
22. SB 805-Onder, with SCS
23. SB 894-Munzlinger
24. SB 985-Wasson
25. SB 932-Cunningham
26. SB 576-Keaveny
27. SB 577-Keaveny
28. SB 663-Dixon, with SCS
29. SB 947-Parson
30. SB 858-Romine, with SCS
31. SB 899-Parson
32. SB 806-Onder, with SCS

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight)

HJR 53-Dugger (Kraus)
(In Fiscal Oversight)

HCS for HB 1418 (Kraus)

HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 612-Cunningham

SB 619-Wallingford

SB 644-Onder, with SCS

SB 680-Emery

SB 706-Dixon

SB 772-Onder, with SCS

SB 785-Schaefer, with SCS, SS for SCS,

SA 1, SSA 1 for SA 1, SA 1 to SSA 1

for SA 1 & point of order (pending)

SB 802-Sater

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 916-Schaefer

SB 980-Keaveny, with SCS, SS for SCS, SA 1

& SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman, with SCS & SS for SCS

(pending) (Onder)

HB 2226-Barnes (Silvey)

CONSENT CALENDAR

Senate Bills

Reported 2/4

SB 650-Pearce, with SCS

SB 627-Nasheed

SB 646-Schupp, with SCS

SB 831-Wasson

SB 833-Nasheed

SB 864-Sater

SB 738-Parson

Reported 2/25

SB 994-Munzlinger

SB 836-Wasson, with SCS

SB 735-Dixon

SB 897-Hegeman

SB 888-Walsh

SBs 905 & 992-Sifton, with SCS

SB 781-Schatz, with SCS

SB 1009-Riddle, with SCS

SB 909-Sater

SB 852-Brown

SB 625-Walsh

Reported 3/3

SB 915-Schaefer

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

RESOLUTIONS

To be Referred

SR 1793-Schaefer

SR 1794-Schaefer

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FOURTH DAY—THURSDAY, MARCH 31, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the Lord for He is good, for His steadfast love endures forever.” (Psalm 136:1)

Gracious Lord, as we finish up this day and return home may we do so with thankfulness, for You provide us with a loving family, the wherewithals we need and meaningful work that enriches us. May our time with loved ones and with You enrich our souls and strengthen us to press on with what is needed to be done. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Associated Press and MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 1798, regarding Eagle Scout Matthew Argotsinger, Peculiar, which was adopted.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

SENATE HEARING SCHEDULE
98th GENERAL ASSEMBLY
SECOND REGULAR SESSION
March 31, 2016

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.			Transportation, Infrastructure and Public Safety SCR 1 (Libla)	
8:30 a.m.		Appropriations SCR 2 (Schaefer) Seniors, Families and Children SCR 1 (Sater)	Gubernatorial Appointments SL (Richard) Appropriations SCR 2 (Schaefer)	Ways and Means SCR 1 (Kraus)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Kehoe)		Veterans' Affairs and Health SL (Brown)
12:00 p.m.		Small Business, Insurance and Industry SCR 1 (Parson) Judiciary and Civil and Criminal Jurisprudence SL (Dixon)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
2:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Silvey) General Laws and Pensions SCR 1 (Schaaf)	Progress and Development SCR 2 (Keaveny) Governmental Accountability and Fiscal Oversight SCR 1 (Cunningham) Education SL (Pearce)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			

REFERRALS

President Pro Tem Richard referred **SR 1793** and **SR 1794** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard requested unanimous consent of the Senate that **SB 783** be returned to the Senate from the Committee on Governmental Accountability and Fiscal Oversight in accordance with the revised fiscal note, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 800**; **SCS** for **SB 855**; **SB 997**; and **SCS** for **SB 861**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 624** and **SS** for **SB 623**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Schmitt assumed the Chair.

THIRD READING OF SENATE BILLS

SB 650, introduced by Senator Pearce, with **SCS**, entitled:

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid eligibility, with an emergency clause.

Was called from the Consent Calendar and taken up.

SCS for **SB 650**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 650

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid eligibility, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SB 650** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 650** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 627, introduced by Senator Nasheed, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to suicide awareness and prevention.

Was called from the Consent Calendar and taken up by Senator Walsh.

On motion of Senator Walsh, **SB 627** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 646, introduced by Senator Schupp, with **SCS**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

Was called from the Consent Calendar and taken up.

SCS for **SB 646**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 646

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

Was taken up.

Senator Schupp moved that **SCS** for **SB 646** be adopted, which motion prevailed.

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement members from Missouri State Highway Patrol to enter the Chamber with side arms, which request was granted.

On motion of Senator Schupp, **SCS** for **SB 646** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Schupp, title to the bill was agreed to.

Senator Schupp moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 831, introduced by Senator Wasson, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to procedures for applying, renewing, and paying for professional licensure.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 831** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 833, introduced by Senator Nasheed, entitled:

An Act to amend chapter 408, RSMo, by adding thereto four new sections relating to savings promotions programs.

Was called from the Consent Calendar and taken up by Senator Keaveny.

On motion of Senator Keaveny, **SB 833** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson

Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 864, introduced by Senator Sater, entitled:

An Act to repeal section 338.200, RSMo, and to enact in lieu thereof one new section relating to the dispensing of an emergency supply of medication.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 864** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 738, introduced by Senator Parson, entitled:

An Act to repeal section 143.1016, RSMo, and to enact in lieu thereof one new section relating to the organ donor program fund.

Was called from the Consent Calendar and taken up.

On motion of Senator Parson, **SB 738** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 994, introduced by Senator Munzlinger, entitled:

An Act to repeal section 262.823, RSMo, and to enact in lieu thereof one new section relating to the goals of the Missouri wine and grape board.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 994** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 836, introduced by Senator Wasson, with **SCS**, entitled:

An Act to repeal section 336.020, RSMo, and to enact in lieu thereof one new section relating to students in accredited optometry schools.

Was called from the Consent Calendar and taken up.

SCS for **SB 836**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 836

An Act to repeal section 336.020, RSMo, and to enact in lieu thereof one new section relating to students in accredited optometry schools.

Was taken up.

Senator Wasson moved that **SCS** for **SB 836** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 836** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 735, introduced by Senator Dixon, entitled:

An Act to repeal section 600.101, RSMo, and to enact in lieu thereof one new section relating to office space for the state public defender.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 735** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 897, introduced by Senator Hegeman, entitled:

An Act to repeal section 139.250, RSMo, and to enact in lieu thereof one new section relating to payments due by collectors.

Was called from the Consent Calendar and taken up.

On motion of Senator Hegeman, **SB 897** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 888, introduced by Senator Walsh, entitled:

An Act to repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections relating to the address confidentiality program administered by the secretary of state.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 888** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 905, introduced by Senator Sifton and **SB 992**, introduced by Senator Brown, with **SCS**, entitled respectively:

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections relating to the uniform interstate family support act, with an emergency clause.

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections

relating to the uniform interstate family support act, with an emergency clause.

Were called from the Consent Calendar and taken up by Senator Sifton.

SCS for SBs 905 and 992, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 905 and 992

An Act to repeal sections 454.849 and 454.1728, RSMo, and to enact in lieu thereof two new sections relating to the uniform interstate family support act, with an emergency clause.

Was taken up.

Senator Sifton moved that **SCS for SBs 905 and 992** be adopted, which motion prevailed.

On motion of Senator Sifton, **SCS for SBs 905 and 992** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 781, introduced by Senator Schatz, with **SCS**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to design-build contracts.

Was called from the Consent Calendar and taken up.

SCS for **SB 781**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 781

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to design-build contracts.

Was taken up.

Senator Schatz moved that **SCS** for **SB 781** be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **SB 781** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 1009, introduced by Senator Riddle, with **SCS**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of “Trooper James Matthew Bava Memorial Highway”.

Was called from the Consent Calendar and taken up.

SCS for SB 1009, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1009

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of “Trooper James M. Bava Memorial Highway”.

Was taken up.

Senator Riddle moved that **SCS for SB 1009** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS for SB 1009** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 909, introduced by Senator Sater, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the Senator Emory Melton memorial highway.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 909** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 852, introduced by Senator Brown, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the Trooper Gary Snodgrass Memorial Bridge.

Was called from the Consent Calendar and taken up.

On motion of Senator Brown, **SB 852** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 625, introduced by Senator Walsh, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of "Sgt. Peggy Vassallo Way".

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 625** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 915, introduced by Senator Schaefer, entitled:

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

Was called from the Consent Calendar and taken up.

On motion of Senator Schaefer, **SB 915** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 783, introduced by Senator Onder, entitled:

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

Was taken up.

At the request of Senator Onder, **SB 783** was placed on the Informal Calendar.

SCS for SB 855, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 855

An Act to repeal section 173.234, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid for families of military members, with an emergency clause.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS for SB 855** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators—None

Absent—Senator Schaefer—1

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 997, introduced by Senator Pearce, entitled:

An Act to repeal section 173.234, RSMo, and to enact in lieu thereof six new sections relating to higher education, with an emergency clause for a certain section.

Was taken up.

On motion of Senator Pearce, **SB 997** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 800, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 800

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to incentives to attract major out-of-state conventions to Missouri.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS for SB 800** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Emery	Kraus	Onder	Schaaf—4
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 861, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 861

An Act to amend chapters 68 and 143, RSMo, by adding thereto five new sections relating to transportation facilities.

Was taken up by Senator Wieland.

On motion of Senator Wieland, **SCS** for **SB 861** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Emery	Kraus	Schaaf—3
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Nasheed—2
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Vacancies—2

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 698**, introduced by Senator Hegeman, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 698

An Act to repeal sections 404.717, 456.590, 456.3-304, 456.4B-411, 456.7-706, 469.467, 473.050, and 473.730, RSMo, and to enact in lieu thereof seven new sections relating to the administration of estates.

Was taken up.

On motion of Senator Hegeman, **SS** for **SCS** for **SB 698** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 844, introduced by Senator Parson, entitled:

An Act to repeal sections 272.030 and 272.230, RSMo, and to enact in lieu thereof one new section relating to livestock trespass.

Was taken up.

On motion of Senator Parson, **SB 844** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senators

Emery	Holsman	Schaaf	Schupp	Sifton—5
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed Silvey—3

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SB 786**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 786

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to the prosecution of election offenses.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 786** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton
Wallingford	Walsh	Wasson	Wieland—25			

NAYS—Senators

Curls	Holsman	Keaveny	Schupp—4
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Nasheed	Silvey—3
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Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 904**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 998**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 873**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 968**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 996**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which were referred **SB 857** and **SB 712**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 941**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 869**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 658**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 1057**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 951**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 23**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 1096**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 1012**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 1014**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 812**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 775**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 613**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 792**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 868**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 35**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 798**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 920**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 1094**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 622**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 1005**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 972**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 966**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 908**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 853**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 662**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 42**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SCR 66, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 45**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 50**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCR 53** and **SCR 44**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 61**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 55**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 1075**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 883**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 896**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 1074**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 1144**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, Senator Kehoe submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 871**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 1026**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 1066**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 1139**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **SB 851** and **SB 694**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SS** for **SCS** for **HB 1983**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Riddle assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 623** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 2190—Ways and Means.

HB 1643—Education.

HCS for HB 2180—Jobs, Economic Development and Local Government.

HB 1422—Governmental Accountability and Fiscal Oversight.

HCS for HB 1451—Education.

HCS for HB 1583—Education.

HB 1698—Jobs, Economic Development and Local Government.

HB 1421—Jobs, Economic Development and Local Government.

HB 1546—Education.

HB 2058—Education.

HB 1556—Jobs, Economic Development and Local Government.

HB 1530—Small Business, Insurance and Industry.

HB 1709—Education.

HB 2186—Education.

HB 1388—Judiciary and Civil and Criminal Jurisprudence.

HB 1538—General Laws and Pensions.

HB 1539—General Laws and Pensions.

HB 1559—General Laws and Pensions.

HB 1602—Education.

HB 1610—Education.

HB 1622—Judiciary and Civil and Criminal Jurisprudence.

HB 1710—Education.

HB 2195—General Laws and Pensions.

HB 1851—Transportation, Infrastructure and Public Safety.

HB 1777—Transportation, Infrastructure and Public Safety.

HB 2183—General Laws and Pensions.

HB 2335—Transportation, Infrastructure and Public Safety.

HB 2369—Transportation, Infrastructure and Public Safety.

HB 1958—Transportation, Infrastructure and Public Safety.

HCS for HB 2014—Appropriations.

HB 1370—Seniors, Families and Children.

HCS for HBs 1400 & 1425—Transportation, Infrastructure and Public Safety.

HB 2230—Transportation, Infrastructure and Public Safety.

HB 1606—Transportation, Infrastructure and Public Safety.

HB 1531—Veterans' Affairs and Health.

HCS for HB 1386—Ways and Means.

HCS for HBs 2188, 1533, 1393, 2114 & 2113—Education.

HB 1716—Education.

HB 2429—Small Business, Insurance and Industry.

HCS for HB 1675—Financial and Governmental Organizations and Elections.

HCS for HB 1598—Ways and Means.

HCS for HB 2397—Financial and Governmental Organizations and Elections.

HB 2355—Seniors, Families and Children.

HB 2337—Education.

HCS for HB 1618—Commerce, Consumer Protection, Energy and the Environment.

HB 2101—Jobs, Economic Development and Local Government.

HB 1678—Education.

HB 2238—Education.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 58**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1735**, entitled:

An Act to amend chapters 173 and 285, RSMo, by adding thereto two new sections relating to password protections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1761**, entitled:

An Act to repeal sections 301.560 and 301.564, RSMo, and to enact in lieu thereof two new sections relating to boat dealers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1786**, entitled:

An Act to amend chapters 311 and 577, RSMo, by adding thereto two new sections relating to powdered alcohol, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2600**, entitled:

An Act to repeal section 21.930, RSMo, and to enact in lieu thereof one new section relating to the surplus revenue fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1434** and **1600**, entitled:

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1923**, entitled:

An Act to repeal sections 208.670, 334.108, and 335.175, RSMo, and to enact in lieu thereof ten new sections relating to telehealth services, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1930**, entitled:

An Act to repeal sections 43.545, 455.543, and 455.545, RSMo, and to enact in lieu thereof four new sections relating to domestic violence.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1759**, entitled:

An Act to repeal section 478.705, RSMo, and to enact in lieu thereof one new section relating to circuit judges in the twenty-sixth judicial circuit.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2234** and **1985**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the establishment of a specialized department of higher education website.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1684**, entitled:

An Act to repeal section 72.150, RSMo, and to enact in lieu thereof one new section relating to the consolidation of certain cities, towns, or villages.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 1799, regarding the One Hundredth Anniversary of the Kansas City University College of Osteopathic Medicine, which was adopted.

Senator Wieland offered Senate Resolution No. 1800, regarding Eagle Scout Harrison Beffa, Hillsboro, which was adopted.

Senator Richard offered Senate Resolution No. 1801, regarding Reverend Justin D. Monaghan, Joplin, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Jessica, Colin, Jason and Addison Wade; and Gaye and Alvin Cox, Odessa.

Senator Schupp introduced to the Senate, Mary Robbins and Victoria Churchill; and students Jaida Williams, Katie McWard, Grace Steensma, Natalie Kallen, Cassie Schoene and Alayna Hopgood, Parkway Northeast Middle School.

Senator Brown introduced to the Senate, Gary Young and Tim Belshe, and thirty students from Waynesville High School.

Senator Parson introduced to the Senate, Teri Turner, Enoe Baeza, Isabella BrynJohnson, Lanie Beard, Jacob Carver, Olivia Dailey, Brigitte Dietzman, Emily Edwards, Ehlana Gilger, Hannah Gooch, Chandler Gray, Carlton Homan, Audrey Irwin, Emma Lazenby, Avery Mather, Krysta Ott, Charles Satnan and Dalton Shepard, Smith-Cotton High School, Sedalia.

Senator Parson introduced to the Senate, Corporal David Brown, Pleasant Hope; and Trooper Robert W. Garrett, Tunas, Missouri State Highway Patrol.

Senator Riddle introduced to the Senate, Drew DeManuele and students from Troy Ninth Grade Center.

Senator Riddle introduced to the Senate, Mikelle Cortez and Desiree Bauer, Ryan Cortez, Andrew Davis, Dylan Durham, Gavin Easley, Victoria Gladden, Sydnye Heffley, Alexis Neal, BriAuna Rodriquez, Haylee Shoemaker, Maya Snapp, Elaina Verdugo, Colleen Van Norman, Miranda Van Norman and Megan Warren, Fulton High School Theatre Group.

Senator Kehoe introduced to the Senate, members of the First Presbyterian Church; and members of the Hungarian Reform Christian Church.

Senator Kehoe introduced to the Senate, Jennifer Scheperle, Paige Bleidistel, Joel Cluver and Allana “Tater” Grewing, parents, chaperones and fourth grade students from Trinity Lutheran School, Jefferson City; and Joel and Allana were made honorary pages.

Senator Riddle introduced to the Senate, teacher Darla Deimeke and Mikyla Clubb, Kayla Rutherford and Lexa Cope, Community R-6 High School, Laddonia.

Senator Parson introduced to the Senate, students from Prairie Grove Mennonite Middle School.

Senator Parson introduced to the Senate, Choir Director Marvin Manring and the Stockton High School Choir.

Senator Cunningham introduced to the Senate, Principal Mike Wallace, and eighth grade students from Thornfield School.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 4, 2016.

SENATE CALENDAR

FORTY-FIFTH DAY—MONDAY, APRIL 4, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1912
HCS for HB 1776
HCS for HB 2108
HCS for HB 2029
HCS for HB 2402
HCS for HB 2453
HCS for HB 1976
HCS for HB 1788
HB 1936-Wilson
HB 1620-Kelley
HCS for HB 2194
HB 2591-Richardson

HJR 58-Brown (57)
HB 1735-Davis
HB 1761-Miller
HB 1786-Pike
HCS for HB 2600
HCS for HBs 1434 & 1600
HCS for HB 1923
HCS for HB 1930
HCS for HB 1759
HCS for HBs 2234 & 1985
HCS for HB 1684

THIRD READING OF SENATE BILLS

SB 624-Libla

SS for SB 623-Libla (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 590-Dixon, with SCS
2. SBs 661, 726 & 741-Dixon, with SCS
3. SBs 588, 603 & 942-Dixon and Curls,
with SCS

4. SB 618-Wallingford, with SCS
5. SB 681-Cunningham
6. SB 702-Munzlinger
7. SB 1025-Kraus

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| 8. SB 856-Silvey, with SCS | 41. SB 658-Wasson |
| 9. SB 988-Kraus | 42. SB 1057-Schaaf, with SCS |
| 10. SB 973-Wasson, with SCS | 43. SB 951-Wasson |
| 11. SB 921-Riddle, with SCS | 44. SJR 23-Sater |
| 12. SB 801-Sater, with SCS | 45. SB 1096-Dixon and Keaveny |
| 13. SB 964-Wallingford, with SCS | 46. SB 1012-Dixon |
| 14. SB 986-Brown, with SCS | 47. SB 1014-Dixon |
| 15. SB 1002-Hegeman | 48. SB 812-Keaveny |
| 16. SB 898-Cunningham | 49. SB 775-Schaefer |
| 17. SBs 789 & 595-Wasson, with SCS | 50. SB 613-Cunningham, et al, with SCS |
| 18. SB 659-Wasson | 51. SB 792-Richard |
| 19. SB 575-Schaefer, with SCS | 52. SB 868-Wasson |
| 20. SB 827-Sifton | 53. SJR 35-Kraus, with SCS |
| 21. SB 638-Riddle and Silvey, with SCS | 54. SB 798-Kraus, with SCS |
| 22. SB 805-Onder, with SCS | 55. SB 920-Schmitt and Kraus |
| 23. SB 894-Munzlinger | 56. SB 1094-Kehoe, with SCS |
| 24. SB 985-Wasson | 57. SB 622-Romine, with SCS |
| 25. SB 932-Cunningham | 58. SB 1005-Walsh |
| 26. SB 576-Keaveny | 59. SB 972-Silvey |
| 27. SB 577-Keaveny | 60. SB 966-Schaaf |
| 28. SB 663-Dixon, with SCS | 61. SB 908-Sater, with SCS |
| 29. SB 947-Parson | 62. SB 853-Brown |
| 30. SB 858-Romine, with SCS | 63. SBs 662 & 857-Dixon, with SCS |
| 31. SB 899-Parson | 64. SB 1075-Wallingford |
| 32. SB 806-Onder, with SCS | 65. SB 883-Riddle |
| 33. SB 904-Pearce, with SCS | 66. SB 896-Hegeman |
| 34. SB 998-Romine, with SCS | 67. SB 1074-Schmitt, with SCS |
| 35. SB 873-Pearce | 68. SB 1144-Brown |
| 36. SB 968-Brown, with SCS | 69. SB 871-Wallingford |
| 37. SB 996-Pearce, with SCS | 70. SB 1026-Schatz, with SCS |
| 38. SBs 857 & 712-Romine, with SCS | 71. SB 1066-Curls |
| 39. SB 941-Dixon | 72. SB 1139-Silvey and Holsman |
| 40. SB 869-Schmitt | 73. SBs 851 & 694-Brown, with SCS |

HOUSE BILLS ON THIRD READING

HB 1631-Alferman, with SCS (Kraus)
 (In Fiscal Oversight)
 HJR 53-Dugger (Kraus)
 (In Fiscal Oversight)

HCS for HB 1418 (Kraus)
 HCS for HB 2140, with SCS (Wasson)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 612-Cunningham

SB 619-Wallingford

SB 644-Onder, with SCS

SB 680-Emery

SB 706-Dixon

SB 772-Onder, with SCS

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 802-Sater

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 916-Schaefer

SB 980-Keaveny, with SCS, SS for SCS, SA 1
& SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

RESOLUTIONS

Reported from Committee

SCR 42-Curls

SCR 45-Dixon

SCR 50-Nasheed

SCRs 53 & 44-Schaefer, with SCS

SCR 55-Holsman

SCR 61-Parson

SCR 66-Schaefer

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIFTH DAY—MONDAY, APRIL 4, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O God, you are my God; eagerly I seek you;...” (Psalm 63)

Gracious and merciful God, mercifully we call upon You this day as we come back together to serve and do those things You require of us. Lord, we pray that You will bless us so that we will be obedient and seek to live righteously. Guide and direct us this week so we may truly benefit others with the efforts we will put forth and complete. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Thursday, March 31, 2016, page 678, line 29, by deleting “was” and inserting in lieu thereof: “were”; and further amend said page, line 30, by inserting after “**SB 662**” the following: “and **SB 587**”.

And further correct page 679, line 15, by inserting after all of said line the following:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTIONS NOS. 53 & 44

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution,

for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Which request was granted.

The Journal of the previous day was read and approved as corrected.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow the Police Chief from the Peculiar Police Department to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1802, regarding James Luttrell, Manchester, which was adopted.

Senator Onder offered Senate Resolution No. 1803, regarding Lillie Ruth Barlow Lindsey, Wentzville, which was adopted.

Senator Pearce offered Senate Resolution No. 1804, regarding Gary Fuenfhausen, Arrow Rock, which was adopted.

Senator Pearce offered Senate Resolution No. 1805, regarding Linwood Lawn, Lexington, which was adopted.

Senator Richard offered Senate Resolution No. 1806, regarding Stronghold Data, LLC, Joplin, which was adopted.

Senator Libla offered Senate Resolution No. 1807, regarding Betty Absheer, Poplar Bluff, which was adopted.

Senator Sater offered Senate Resolution No. 1808, regarding Class 2 State Champion Crane High

School girls basketball program, which was adopted.

Senator Schaefer offered Senate Resolution No. 1809, regarding Eagle Scout Zane Reddick, Columbia, which was adopted.

Senator Parson offered Senate Resolution No. 1810, regarding Dylan Clemmons, Buffalo, which was adopted.

Senator Kehoe offered Senate Resolution No. 1811, regarding Samantha Gunn, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1812, regarding Lizzie Oxley, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1813, regarding Emily Thomeczek, Jefferson City, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1814, regarding Amy Hunter, University City, which was adopted.

Senator Schupp offered Senate Resolution No. 1815, regarding Nile Blaire Trice, Maryland Heights, which was adopted.

Senator Schupp offered Senate Resolution No. 1816, regarding Jessica Thoele, Ladue, which was adopted.

Senator Schupp offered Senate Resolution No. 1817, regarding Patricia Elaine Busch, Ballwin, which was adopted.

Senator Schupp offered Senate Resolution No. 1818, regarding Rachel Patrice Steiner, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1819, regarding Jacqueline ChorKay Wong, Olivette, which was adopted.

Senator Schatz offered Senate Resolution No. 1820, regarding Michelle Li, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 1821, regarding Edayla Louise Talley, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 1822, regarding Kambria Erin Rapp, Wildwood, which was adopted.

Senator Schatz offered Senate Resolution No. 1823, regarding Elizabeth Marye Newell, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 1824, regarding Allison Marie Licavoli, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 1825, regarding Lili Grace Wintz Hostetler, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 1826, regarding Anna Marie Casey, Ballwin, which was

adopted.

Senator Schatz offered Senate Resolution No. 1827, regarding Bailey Rose Becker, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 1828, regarding Kaitlynn Elizabeth Allen, Union, which was adopted.

Senator Romine offered Senate Resolution No. 1829, regarding Terri Kotter, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 1830, regarding Dr. Trisha L. Burkeen, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 1831, regarding Vicky Christopher, De Soto, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1832, regarding Jeffrey Davis, D.O., Memphis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1833, regarding Bunnie Trickey Cotten, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1834, regarding Jason Payne, Jefferson City, which was adopted.

HOUSE BILLS ON THIRD READING

HCS for HB 1418, entitled:

An Act to repeal sections 105.145, 238.222, and 238.272, RSMo, and to enact in lieu thereof three new sections relating to transportation development districts, with penalty provisions.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HCS for HB 1418** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman Silvey—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2140, with **SCS**, entitled:

An Act to repeal section 32.087, RSMo, and to enact in lieu thereof two new sections relating to local sales tax on motor vehicles.

Was taken up by Senator Wasson.

SCS for HCS for HB 2140, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2140

An Act to repeal section 32.087, RSMo, and to enact in lieu thereof two new sections relating to local sales tax on motor vehicles.

Was taken up.

Senator Wasson moved that **SCS for HCS for HB 2140** be adopted.

Senator Romine assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2140, Page 2, Section 32.087, Line 35, by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill and section, page 3, line 55 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and further amend line 76 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill and section, page 4, line 101 striking the number “2021” and inserting in lieu thereof the following: “**2019**”; and further amend line 107 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and further amend line 109 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill, pages 8-10, section 32.088 by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Wasson, **HCS for HB 2140**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

CONCURRENT RESOLUTIONS

Senator Schaefer moved that **SCR 66** be taken up for adoption, which motion prevailed.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 66, as it appears on Page 433 of the Senate Journal for Tuesday, March 1, 2016, Line 29 of said journal page, by striking the word “Four” and inserting in lieu thereof the following: “Three”; and further amend line 30 of said journal page, by striking the word “Four” and inserting in lieu thereof the following: “One member to be appointed by the minority floor leader of the Senate; and

(3) Three”; and further amend said line, by inserting immediately after said line the following:

“(4) One member to be appointed by the minority floor leader of the House of Representatives; and”; and further amend line 42 of said journal page, by striking the word “shall” and inserting in lieu thereof the following: “may”; and further amend line 43 of said journal page, by striking the word “shall” and inserting in lieu thereof the following: “may”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schaefer offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Concurrent Resolution No. 66, as it appears on Page 433 of the Senate Journal for Tuesday, March 1, 2016, Line 28, by striking the words “task force” and inserting in lieu thereof the following: “commission”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCR 66**, as amended, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Chappelle-Nadal Schupp—2

Absent—Senators—None

Absent with leave—Senators

Holsman Silvey—2

Vacancies—2

HOUSE BILLS ON THIRD READING

Senator Wasson moved that **HCS** for **HB 2140**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Wasson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2140, Page 2, Section 32.087, Line 35, by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill and section, page 3, line 55 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and further amend line 76 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill and section, page 4, line 101 striking the number “2021” and inserting in lieu thereof the following: “**2019**”; and further amend line 107 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and further amend line 109 by striking the number “2020” and inserting in lieu thereof the following: “**2018**”; and

Further amend said bill, page 10, section 32.088, line 63 by striking the number “2018” and inserting in lieu thereof the following: “**2017**”; and further amend line 67 by striking the number “2019” and inserting in lieu thereof the following: “**2018**”.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SCS** for **HCS** for **HB 2140**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **HCS** for **HB 2140** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senator Schmitt—1

Absent—Senators—None

Absent with leave—Senators

Holsman Silvey—2

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Connie J. Cierpiot, 214 Northeast Landings Circle, Lee's Summit, Jackson County, Missouri 64064, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending March 31, 2020, and until her successor is duly appointed and qualified; vice, Lori Rasmussen, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Glen P. Cope, Republican, 2508 Farm Road 1180, Aurora, Barry County, Missouri 65605, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2017, and until his successor is duly appointed and qualified; vice, Sam P. Schauman, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eric D. Davis Jr., 915 Southwest Bishop Drive, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending September 30, 2019, and until his successor is duly appointed and qualified; vice, Robert N. Hartnett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

James P. Ford, 1112 Old Highway 63 South, Columbia, Boone County, Missouri 65201, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees, for a term ending February 6, 2020, and until his successor is duly appointed and qualified; vice, James P. Ford, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following reappointment:

M. Blake Heath, Republican, 5933 Oak Street, Kansas City, Jackson County, Missouri 64113, as a member of the Kansas City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, M. Blake Heath, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William T. Kane, 11686 Fairway Circle, Dexter, Stoddard County, Missouri 63841, as a member of the Missouri Dental Board, for a term ending October 16, 2019, and until his successor is duly appointed and qualified; vice, Mark F. Saladin, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lisa Bedian Kurtz, Democrat, 3323 Town and Country Lane, Saint Charles, Saint Charles County, Missouri 63301, as a member of the St. Charles County Convention & Sports Complex Authority, for a term ending April 27, 2016, and until her successor is duly appointed and qualified; vice, Thomas Heinsz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Casey Martin, Democrat, 34 East 54th Street, Kansas City, Jackson County, Missouri 64112, as a member of the Kansas City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Megan Thornberry, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Timothy W. Martin, Independent, 22048 County Road 780, Bernie, Stoddard County, Missouri 63822, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2018, and until his successor is duly appointed and qualified; vice, Timothy W. Martin, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James L. Mathewson, Democrat, 23650 Highway B, Sedalia, Pettis County, Missouri 65301, as a member of the State Fair Commission, for a term ending December 29, 2019, and until his successor is duly appointed and qualified; vice, Janet Crafton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Samuel P. Murphey, Democrat, 5800 Highlands Plaza Drive, Apartment 266, Saint Louis City, Missouri 63110, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2020, and until his successor is duly appointed and qualified; vice, Lowell C. Kruse, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John W. Siscel III, Republican, 4804 Marchwood Drive, Saint Louis, Saint Louis County, Missouri 63128, as a member of the Coordinating Board for Higher Education, for a term ending June, 27, 2018, and until his successor is duly appointed and qualified; vice, Doris J. Carter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 1, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael D. Thomson, Republican, 311 Lynn Lane, Maryville, Nodaway County, Missouri 64468, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2016, and until his successor is duly appointed and qualified; vice, Kathryn Swan, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 1835, regarding David Allen Thurman, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 1836, regarding the Fiftieth Wedding Anniversary of

Marlee and Johnnie Edie, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 1837, regarding the Seventieth Wedding Anniversary of Orville and Thelma Mitchell, Hollister, which was adopted.

Senator Sater offered Senate Resolution No. 1838, regarding Eagle Scout Alejandro “Alex” Jimenez, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 1839, regarding the Fiftieth Wedding Anniversary of Denny and Linda Ball, Eagle Rock, which was adopted.

Senator Sater offered Senate Resolution No. 1840, regarding the Sixty-fifth Wedding Anniversary of Dick and Nadine Evans, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1841, regarding the One Hundred Fiftieth Anniversary of First Baptist Church, Mount Vernon, which was adopted.

Senator Riddle offered Senate Resolution No. 1842, regarding Kelsey Renee Keling, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 1843, regarding Abigail Catherine Lexa, Wright City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Harry and Louise Gurin; Riley Large-Gurin; BJ and Riley Zimmerman; and Ryan and Braedyn Gooding, Raymore; and Riley, Braedyn and Riley were made honorary pages.

Senator Dixon introduced to the Senate, Gary Hoffman and Ron Long, Springfield.

On behalf of Senator Schaefer and himself, Senator Kehoe introduced to the Senate, Abby Baldwin, Brazito; and Cassidy Johnson, Ashland; State Technical College of Missouri.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SIXTH DAY—TUESDAY, APRIL 5, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1912
HCS for HB 1776

HCS for HB 2108
HCS for HB 2029

HCS for HB 2402
HCS for HB 2453
HCS for HB 1976
HCS for HB 1788
HB 1936-Wilson
HB 1620-Kelley
HCS for HB 2194
HB 2591-Richardson
HJR 58-Brown (57)
HB 1735-Davis

HB 1761-Miller
HB 1786-Pike
HCS for HB 2600
HCS for HBs 1434 & 1600
HCS for HB 1923
HCS for HB 1930
HCS for HB 1759
HCS for HBs 2234 & 1985
HCS for HB 1684

THIRD READING OF SENATE BILLS

SB 624-Libla

SS for SB 623-Libla (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 590-Dixon, with SCS
2. SBs 661, 726 & 741-Dixon, with SCS
3. SBs 588, 603 & 942-Dixon and Curls,
with SCS
4. SB 618-Wallingford, with SCS
5. SB 681-Cunningham
6. SB 702-Munzlinger
7. SB 1025-Kraus
8. SB 856-Silvey, with SCS
9. SB 988-Kraus
10. SB 973-Wasson, with SCS
11. SB 921-Riddle, with SCS
12. SB 801-Sater, with SCS
13. SB 964-Wallingford, with SCS
14. SB 986-Brown, with SCS
15. SB 1002-Hegeman
16. SB 898-Cunningham
17. SBs 789 & 595-Wasson, with SCS
18. SB 659-Wasson
19. SB 575-Schaefer, with SCS
20. SB 827-Sifton
21. SB 638-Riddle and Silvey, with SCS
22. SB 805-Onder, with SCS
23. SB 894-Munzlinger
24. SB 985-Wasson
25. SB 932-Cunningham

26. SB 576-Keaveny
27. SB 577-Keaveny
28. SB 663-Dixon, with SCS
29. SB 947-Parson
30. SB 858-Romine, with SCS
31. SB 899-Parson
32. SB 806-Onder, with SCS
33. SB 904-Pearce, with SCS
34. SB 998-Romine, with SCS
35. SB 873-Pearce
36. SB 968-Brown, with SCS
37. SB 996-Pearce, with SCS
38. SBs 857 & 712-Romine, with SCS
39. SB 941-Dixon
40. SB 869-Schmitt
41. SB 658-Wasson
42. SB 1057-Schaaf, with SCS
43. SB 951-Wasson
44. SJR 23-Sater
45. SB 1096-Dixon and Keaveny
46. SB 1012-Dixon
47. SB 1014-Dixon
48. SB 812-Keaveny
49. SB 775-Schaefer
50. SB 613-Cunningham, et al, with SCS
51. SB 792-Richard

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|------------------------------|-----------------------------------|
| 52. SB 868-Wasson | 63. SBs 662 & 587-Dixon, with SCS |
| 53. SJR 35-Kraus, with SCS | 64. SB 1075-Wallingford |
| 54. SB 798-Kraus, with SCS | 65. SB 883-Riddle |
| 55. SB 920-Schmitt and Kraus | 66. SB 896-Hegeman |
| 56. SB 1094-Kehoe, with SCS | 67. SB 1074-Schmitt, with SCS |
| 57. SB 622-Romine, with SCS | 68. SB 1144-Brown |
| 58. SB 1005-Walsh | 69. SB 871-Wallingford |
| 59. SB 972-Silvey | 70. SB 1026-Schatz, with SCS |
| 60. SB 966-Schaaf | 71. SB 1066-Curls |
| 61. SB 908-Sater, with SCS | 72. SB 1139-Silvey and Holsman |
| 62. SB 853-Brown | 73. SBs 851 & 694-Brown, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| HB 1631-Alferman, with SCS (Kraus)
(In Fiscal Oversight) | HJR 53-Dugger (Kraus)
(In Fiscal Oversight) |
|---|--|

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 644-Onder, with SCS | SB 916-Schaefer |
| SB 680-Emery | SB 980-Keaveny, with SCS, SS for SCS, SA 1
& SA 3 to SA 1 (pending) |
| SB 706-Dixon | |
| SB 772-Onder, with SCS | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|-------------------------|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2226-Barnes (Silvey) |
| HB 1575-Rowden, with SCA 1 (Onder) | |
| HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder) | |

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed

SCRs 53 & 44-Schaefer, with SCS
SCR 55-Holsman
SCR 61-Parson

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SIXTH DAY—TUESDAY, APRIL 5, 2016

The Senate met pursuant to adjournment.

Senator Romine in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will remember my covenant which is between me and You and every living creature of all flesh that is upon the earth.” (Genesis 9:15)

O God we remember the covenant that You have made with our ancestors and how You have broken into our troubled world and established Your kingdom with us. As we hear Your word we are also mindful of Your rule of Your left hand, the kingdom of this world and its governments. We pray that we may fulfill our role in governing and do so through caring and justice that Your people may benefit from our good stewardship of this power You have given us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net and The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 1844, regarding Olivia Chanel Martin, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1845, regarding Gabriela Vieira, which was adopted.

Senator Schmitt offered Senate Resolution No. 1846, regarding Joan Musbach, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1847, regarding Jake Molitor State Farm Agency, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1848, regarding Brooke Huffman, which was adopted.

Senator Schmitt offered Senate Resolution No. 1849, regarding Katie Woepke, which was adopted.

Senator Schmitt offered Senate Resolution No. 1850, regarding Chandra Heinlein, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HJR 53** and **HB 1631**, with **SCS**, begs leave to report that it has considered the same and recommends that the joint resolution and bill do pass.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 590**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 590**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 590**

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, and to enact in lieu thereof six new sections relating to first degree murder, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

Was taken up.

Senator Dixon moved that **SCS** for **SB 590** be adopted.

Senator Dixon offered **SS** for **SCS** for **SB 590**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 590**

An Act to repeal sections 192.2260, 192.2405, 217.360, 217.670, 217.690, 217.722, 301.559, 311.310, 339.100, 400.9-501, 562.014, 565.020, 565.030, 565.032, 565.040, 570.030, 570.135, 571.020, 571.030,

571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof forty-six new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Senator Dixon moved that **SS** for **SCS** for **SB 590** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Pages 52-63, Section 556.061, by striking said section from the bill; and

Further amend said bill, pages 63-68, section 556.061, by striking said section from the bill; and

Further amend said bill by amending the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 27, Section 198.070, Line 17, by inserting immediately after said line the following:

“211.436. 1. When a court of jurisdiction in juvenile cases has a local court rule or otherwise mandates that a juvenile shall be restrained during court proceedings using either handcuffs, chains, irons, or a straitjacket, the juvenile’s attorney shall have the right to be heard on the issue of the necessity of restraints on the juvenile and request that the restraints on the juvenile not be used. The juvenile’s attorney may present evidence that the juvenile is not a flight risk, poses no safety risk to himself or herself or others, or has no history of disruptive courtroom behavior.

2. If the court orders that restraints shall be used on the juvenile, the court shall make findings of fact in support of such use.

217.151. 1. For purposes of this section, “extraordinary circumstances” exist when a doctor treating the pregnant or postpartum offender makes an individualized determination that restraints are necessary to prevent a pregnant or postpartum offender from escaping or seriously injuring herself, medical or correctional personnel, or others.

2. The necessary health care standards for pregnant and postpartum offenders shall include:

(1) Except in extraordinary circumstances, no restraints of any kind may be used on offenders during the second and third trimesters of pregnancy or for forty-eight hours post-delivery, whether during transportation to and from visits to health care providers and court proceedings or during labor and delivery;

(2) Pregnant and postpartum offenders shall be transported to and from visits to health care providers and court proceedings in vehicles with seatbelts;

(3) Any time restraints are used on a pregnant or postpartum offender, the restraints shall be the least restrictive available and the most reasonable under the circumstances. In no case shall leg or waist restraints be used on any pregnant or postpartum offender; and

(4) If a doctor, nurse, or other health care provider treating the pregnant or postpartum offender requests that restraints not be used, the corrections officer accompanying the pregnant or postpartum offender shall immediately remove all restraints.

3. In the event a doctor determines that extraordinary circumstances exist and restraints are used, the doctor shall fully document in writing within seven days of the incident the reasons he or she determined such extraordinary circumstances existed, the kind of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances.

4. The sentencing and corrections oversight commission established under section 217.147, and the advisory committee established under section 217.015, shall conduct biannual reviews of every report written on the use of restraints on a pregnant or postpartum offender in accordance with subsection 3 of this section to determine compliance with this section. The written reports shall be kept on file by the department for five years.

5. The chief administrative officer of each correctional center shall:

(1) Ensure that employees of the correctional center who come in contact with pregnant or postpartum offenders are provided with training, which may include online training, on the provisions of this section; and

(2) Inform female offenders of the policies and practices developed in accordance with this section upon admission to the correctional center, including the policies and practices in the offender handbook, and post the policies and practices in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 52, Section 400.9-501, Line 8, by inserting after all of said line the following:

“491.500. 1. As used in this section, the following terms mean:

(1) “Administrator”, the person conducting the photograph or live lineup;

(2) “Eyewitness”, a person who observes another person at or near the scene of an offense;

(3) “Filler”, a person, or photograph of a person, who is not suspected of an offense and is included in an identification procedure that resembles the eyewitness’s description of the perpetrator in significant features such as race, weight, build, or skin tone;

(4) “Live lineup”, an identification procedure in which a group of persons, including the suspected perpetrator of an offense and other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator;

(5) “Photo lineup”, an identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator;

(6) “Showup”, an identification procedure in which an eyewitness is presented with a single suspect for the purpose of determining whether the eyewitness identifies such individual as the perpetrator;

(7) “Suspect”, the person believed by law enforcement to be the possible perpetrator of the crime.

2. By January 1, 2018, any law enforcement agency conducting one or more of the identification procedures listed in subsection 1 of this section shall adopt written policies governing the procedures. Each agency shall provide a copy of its written policies to the director of the department of public safety by February 1, 2018.

3. In developing policies under this section, a law enforcement agency shall adopt practices shown by reliable evidence to enhance the accuracy of identification procedures and minimize mistaken identifications. The policies shall include the following:

(1) A requirement that the administrator conducting the photograph or live lineup either does not

know the suspect's identity or employs a procedure that prevents the administrator from observing the lineup members being viewed by the eyewitness;

(2) A requirement that a statement of confidence be elicited and documented verbatim at the time that an identification is made;

(3) A requirement that specific instructions be given to the eyewitness prior to a live or photo lineup to minimize the likelihood of an inaccurate identification. The list of instructions shall include a directive that the perpetrator may not be in the lineup, the administrator does not know if the suspect or perpetrator is in the lineup, the investigation will continue if a suspect is not identified during the lineup, and if the eyewitness does make an identification during the procedure, the eyewitness will be required to give a statement regarding his or her confidence level in the identification;

(4) A requirement for a minimum of four fillers to appear in each live lineup, a required minimum of five fillers in each photo lineup, and a requirement that all fillers generally resemble the description of the perpetrator provided by the eyewitness while ensuring no lineup member stands out;

(5) Prohibitions on reusing fillers in lineups viewed by the same eyewitness and allowing an eyewitness to participate in multiple lineups that include the same suspect;

(6) A prohibition on allowing more than one suspect to be present, or have his or her photograph present, at a lineup; and

(7) If videotaping or digital video recording of the lineup is not practicable, a requirement that the lineup be documented by taking a photograph of each lineup and creating a detailed record that describes all identification and nonidentification results obtained during the identification procedures, signed by the eyewitnesses, including the eyewitnesses' confidence statements; the names of all persons present at the identification procedure, including the names of the lineup administrator and whether the administrator knew the identity of the suspect or used a method that prevented him or her from observing the lineup members being viewed by the eyewitness; the date and time of the identification procedure; any eyewitness identification of a filler; the names of the lineup members and other relevant identifying information; and the sources of all photographs or persons used in the lineup.

4. Nothing in this section shall be construed as a ground to exclude evidence at trial. When evidence of compliance or noncompliance with the requirements of this section has been admitted and presented at trial, the jury shall be instructed that it may consider the evidence of compliance or noncompliance in assessing whether a pre-trial eyewitness identification was reliable.”; and

Further amend said bill, section B, page 132, line 26, by striking the word “section” and inserting in lieu thereof “sections 491.500 and”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

At the request of Senator Dixon, **SB 590**, with SCS, SS for SCS and SA 3 (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2380**, entitled:

An Act to repeal sections 301.010, 301.130, 301.134, 301.144, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.475, 301.477, 301.481, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, and 301.3170, RSMo, and to enact in lieu thereof one hundred ten new sections relating to license plates, with an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1851, regarding John Wheeler, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1852, regarding Capital Region Medical Center, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1853, regarding Eagle Scout Paul Edward Daues, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1854, regarding Joseph J. “Joe” Ryan, St. Ann, which was adopted.

Senator Richard offered Senate Resolution No. 1855, regarding 2016 Class 3 State Champion Neosho High School wrestling program, which was adopted.

Senator Schupp offered Senate Resolution No. 1856, regarding Robert Brewer “Bob” Puyear, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 1857, regarding Isla James Bridges, Springfield, which was adopted.

Senator Schupp offered Senate Resolution No. 1858, regarding Wayne Julius Schmidt, St. Ann, which was adopted.

Senator Schupp offered Senate Resolution No. 1859, regarding Ali Gold, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1860, regarding Glenn Rudolph Wettig, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1861, regarding Stephen M. “Steve” Bira, Fenton, which was adopted.

Senator Schmitt offered Senate Resolution No. 1862, regarding Earl George Crenshaw, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 1863, regarding Eugene Phelps “Gene” Dixon, Jr., Ellisville, which was adopted.

Senator Schmitt offered Senate Resolution No. 1864, regarding William Kenneth “Ken” Luttrell, Sunset Hills, which was adopted.

Senator Schmitt offered Senate Resolution No. 1865, regarding George Lloyd “Curt” Davison, Jr., Kirkwood, which was adopted.

Senator Schupp offered Senate Resolution No. 1866, regarding Louisa Goldman, St. Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1867, regarding 2015-2016 Class 2 State Champion Hartville High School Boys Basketball Eagles, which was adopted.

HOUSE BILLS ON THIRD READING

HB 1631, introduced by Representative Alferman, with **SCS**, entitled:

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

Was taken up by Senator Kraus.

SCS for **HB 1631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1631

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

Was taken up.

Senator Kraus moved that **SCS** for **HB 1631** be adopted.

Senator Kraus offered **SS** for **SCS** for **HB 1631**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1631

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

Senator Kraus moved that **SS** for **SCS** for **HB 1631** be adopted.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“115.134. 1. The department of revenue shall provide to the secretary of state electronic records containing the legal name, age, residence and citizenship information for, and the electronic signature of, each person who receives state-funded assistance who meets the qualifications to vote set out in section 115.133.

2. Upon receiving a person’s electronic record and electronic signature the secretary of state shall provide such information to the election authority of the county in which the person may be registered. The election authority shall notify each person of the process to decline to be registered.

3. If a person notified under subsection 2 of this section does not decline to be registered within twenty-one calendar days after the election authority issues the notification, and the person otherwise meets the qualifications to vote as prescribed under section 115.133, the person shall be deemed registered.

4. The secretary of state shall adopt rules and regulations as are necessary to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Onder assumed the Chair.

At the request of Senator Kraus, **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the

Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 1028**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 848**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1413**, entitled:

An Act to repeal sections 142.028 and 142.029, RSMo, and to enact in lieu thereof two new sections relating to the Missouri qualified fuel ethanol producer incentive fund, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2428**, entitled:

An Act to repeal sections 167.265, 168.303, 168.500, 168.520, and 192.915, RSMo, and to enact in lieu thereof five new sections relating to school counselors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2480**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Law Enforcement Appreciation Day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2499**, entitled:

An Act to repeal section 620.806, RSMo, and to enact in lieu thereof one new section relating to the Missouri Works Training Program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1868, regarding Katherine Elizabeth Mazdra, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1869, regarding Taylor Danielle Banze, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 1870, regarding Lauren Maxine Baggett, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 1871, regarding James Leroy “Jim” Estep, Wentzville, which was adopted.

Senator Walsh offered Senate Resolution No. 1872, regarding “Florissant’s Historic Treasures” video series, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Fred and Caryl Schieszer, Kansas City.

Senator Keaveny introduced to the Senate, Abigail Killian, Dallas, Texas.

Senator Nasheed introduced to the Senate, members of the Missouri Wing of the Civil Air Patrol.

Senator Kehoe introduced to the Senate, teachers, parents and fourth grade students from St. Stanislaus School, Wardsville.

On behalf of Senator Dixon and himself, Senator Cunningham introduced to the Senate, Darrelene Smallwood, Rogersville; and Brandon Foster, Springfield.

Senator Libla introduced to the Senate, Herman Styles, Poplar Bluff; and Nick and Lisa Caldwell, New Madrid.

Senator Parson introduced to the Senate, Joe Grande, Jason Aabye, Rehe M. Cabrales, Mifeh Early and Riley Williamson, members of the Agape Boarding School Choir, Stockton.

Senator Pearce introduced to the Senate, Darren Wodrich, Concordia; and Mark Ayers, Hamilton.

On behalf of Senator Kraus, Senator Pearce introduced to the Senate, Kent Kirby, Kansas City.

Senator Schaaf introduced to the Senate, Abe Forney and Adam Freeman, St. Joseph.

Senator Pearce introduced to the Senate, Shane Lockard, Warrensburg.

Senator Hegeman introduced to the Senate, parents and students from the Church of God in Christ Mennonite Parochial School, Jamesport.

On behalf of Senator Richard, the President introduced to the Senate, Greg and Linda Barnard, Kansas City.

Senator Kehoe introduced to the Senate, his wife Claudia; his sister Maureen Kehoe Smith, Plymouth, Minnesota; and his mother, Lorraine, St. Louis.

Senator Emery introduced to the Senate, Lois Elliot, Lee Carr, Lana Pendleton and Cheryl Williamson, Clinton.

Senator Walsh introduced to the Senate, Jaime Grun, Melissa Rechtien, and seventh and eighth grade students from St. Rose Philippine Duchesne School, Florissant; and Grace Beane, Joseph Brown, Rachel Buenger and Alexi Cracchiola were made honorary pages.

Senator Libla introduced to the Senate, high school students from the Caruthersville, Charleston, Hayti and South Pemiscot School Districts.

On behalf of Senator Schmitt, Senator Keaveny introduced to the Senate, Ann Young, Manchester; Beth Buchek, Ballwin; Tara Heth, Valley Park; and representatives of the Missouri Coalition for Interior Design, International Interior Design Association, Gateway and Mid-America Chapters.

Senator Munzlinger introduced to the Senate, his wife Michele, Williamstown.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 6, 2016

FORMAL CALENDAR

VETOED BILLS

SCR 46-Schmitt

HOUSE BILLS ON SECOND READING

HCS for HB 1912

HCS for HB 1776

HCS for HB 2108

HCS for HB 2029

HCS for HB 2402

HCS for HB 2453

HCS for HB 1976

HCS for HB 1788

HB 1936-Wilson

HB 1620-Kelley

HCS for HB 2194

HB 2591-Richardson

HJR 58-Brown (57)

HB 1735-Davis

HB 1761-Miller

HB 1786-Pike

HCS for HB 2600

HCS for HBs 1434 & 1600

HCS for HB 1923

HCS for HB 1930

HCS for HB 1759
HCS for HBs 2234 & 1985
HCS for HB 1684
HCS for HB 2380

HCS for HB 1413
HB 2428-Swan
HB 2480-Justus
HB 2499-Lauer

THIRD READING OF SENATE BILLS

SB 624-Libla

SS for SB 623-Libla (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SBs 661, 726 & 741-Dixon, with SCS
2. SBs 588, 603 & 942-Dixon and Curls, with SCS
3. SB 618-Wallingford, with SCS
4. SB 681-Cunningham
5. SB 702-Munzlinger
6. SB 1025-Kraus
7. SB 856-Silvey, with SCS
8. SB 988-Kraus
9. SB 973-Wasson, with SCS
10. SB 921-Riddle, with SCS
11. SB 801-Sater, with SCS
12. SB 964-Wallingford, with SCS
13. SB 986-Brown, with SCS
14. SB 1002-Hegeman
15. SB 898-Cunningham
16. SBs 789 & 595-Wasson, with SCS
17. SB 659-Wasson
18. SB 575-Schaefer, with SCS
19. SB 827-Sifton
20. SB 638-Riddle and Silvey, with SCS
21. SB 805-Onder, with SCS
22. SB 894-Munzlinger
23. SB 985-Wasson
24. SB 932-Cunningham
25. SB 576-Keaveny
26. SB 577-Keaveny
27. SB 663-Dixon, with SCS

28. SB 947-Parson
29. SB 858-Romine, with SCS
30. SB 899-Parson
31. SB 806-Onder, with SCS
32. SB 904-Pearce, with SCS
33. SB 998-Romine, with SCS
34. SB 873-Pearce
35. SB 968-Brown, with SCS
36. SB 996-Pearce, with SCS
37. SBs 857 & 712-Romine, with SCS
38. SB 941-Dixon
39. SB 869-Schmitt
40. SB 658-Wasson
41. SB 1057-Schaaf, with SCS
42. SB 951-Wasson
43. SJR 23-Sater
44. SB 1096-Dixon and Keaveny
45. SB 1012-Dixon
46. SB 1014-Dixon
47. SB 812-Keaveny
48. SB 775-Schaefer
49. SB 613-Cunningham, et al, with SCS
50. SB 792-Richard
51. SB 868-Wasson
52. SJR 35-Kraus, with SCS
53. SB 798-Kraus, with SCS
54. SB 920-Schmitt and Kraus
55. SB 1094-Kehoe, with SCS

56. SB 622-Romine, with SCS

57. SB 1005-Walsh

58. SB 972-Silvey

59. SB 966-Schaaf

60. SB 908-Sater, with SCS

61. SB 853-Brown

62. SBs 662 & 587-Dixon, with SCS

63. SB 1075-Wallingford

64. SB 883-Riddle

65. SB 896-Hegeman

66. SB 1074-Schmitt, with SCS

67. SB 1144-Brown

68. SB 871-Wallingford

69. SB 1026-Schatz, with SCS

70. SB 1066-Curls

71. SB 1139-Silvey and Holsman

72. SBs 851 & 694-Brown, with SCS

73. SB 1028-Silvey, et al, with SCS

74. SB 848-Emery, with SCS

HOUSE BILLS ON THIRD READING

HJR 53-Dugger (Kraus)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 590-Dixon, with SCS, SS for SCS &
SA 3 (pending)

SB 612-Cunningham

SB 619-Wallingford

SB 644-Onder, with SCS

SB 680-Emery

SB 706-Dixon

SB 772-Onder, with SCS

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 802-Sater

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 916-Schaefer

SB 980-Keaveny, with SCS, SS for SCS, SA 1
& SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 1631-Alferman, with SCS, SS for SCS &
SA 1 (pending) (Kraus)

HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed

SCRs 53 & 44-Schaefer, with SCS
SCR 55-Holsman
SCR 61-Parson

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 6, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be merciful to me, O God, be merciful to me, for in You my soul takes refuge;...” (Psalm 57:1a)

Almighty God, King of the universe, You are the strength of those who believe in You and You are the hope of those who live in pain and grief. You have given to us the opportunity of new life and joyful and generous hearts. So You are worthy of our praise and worship which we are grateful to give. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1873, regarding Eagle Scout Alex Harris Geyer, Columbia, which was adopted.

Senator Emery offered Senate Resolution No. 1874, regarding Patrick Hemmingsen, Kansas City, which was adopted.

Senator Emery offered Senate Resolution No. 1875, regarding Aurora Rivera, Lee's Summit, which was adopted.

Senator Holsman offered Senate Resolution No. 1876, regarding Zach Thornhill, Lee's Summit, which was adopted.

Senator Holsman offered Senate Resolution No. 1877, regarding Eagle Scout Anthony Eugene Ball, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 1878, regarding Eagle Scout Walden Alexander Thurn, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 1879, regarding Eagle Scout Robert Donovan Riley, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 1880, regarding the Fiftieth Wedding Anniversary of Roland and Wanda Kerkusiek, Cole Camp, which was adopted.

Senator Parson offered Senate Resolution No. 1881, regarding Eagle Scout Isaiah VanBuren Kahler, Warsaw, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 590**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Keaveny, the above amendment was withdrawn.

Senator Keaveny offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 52, Section 400.9-501, Line 8, by inserting after all of said line the following:

“491.500. 1. As used in this section, the following terms mean:

(1) “Administrator”, the person conducting the photograph or live lineup;

(2) “Eyewitness”, a person who observes another person at or near the scene of an offense;

(3) “Filler”, a person, or photograph of a person, who is not suspected of an offense and is included in an identification procedure that resembles the eyewitness’s description of the perpetrator in significant features such as race, weight, build, or skin tone;

(4) “Live lineup”, an identification procedure in which a group of persons, including the suspected perpetrator of an offense and other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator;

(5) “Photo lineup”, an identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator;

(6) “Showup”, an identification procedure in which an eyewitness is presented with a single suspect for the purpose of determining whether the eyewitness identifies such individual as the perpetrator;

(7) “Suspect”, the person believed by law enforcement to be the possible perpetrator of the crime.

2. By January 1, 2018, any law enforcement agency conducting one or more of the identification procedures listed in subsection 1 of this section shall adopt written policies consistent with the recommendations and best practices of the National Academy of Sciences. Each agency shall provide a copy of its written policies to the director of the department of public safety by February 1, 2018.”; and

Further amend said bill, section B, page 132, line 26, by striking the word “section” and inserting in lieu thereof “sections 491.500 and”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

Senator Onder assumed the Chair.

Senator Keaveny requested a roll call vote be taken on the adoption of SA 4. He was joined in his request by Senators Dixon, Holsman, Schupp and Walsh.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schaaf	Schupp
Walsh—8						

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Sifton	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Keaveny offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 131, Section 579.015, Line 25, by inserting immediately after all of said line, the following:

“589.800. 1. The department of public safety shall establish a pilot program in the city not within a county that addresses the rising serious violent crime rate in neighborhoods located in the city not within a county. The pilot program shall be known and may be referred to as the “Intervention and Compliance Unit Pilot Program” or the “ICU Pilot Program”.

2. The goals of the pilot program shall include, but not be limited to:

(1) Reducing and preventing violent crime and improving safety within individual neighborhoods through collaboration of the metropolitan police department and representatives of the community within the city not within a county;

(2) The development of evidence-based procedures to reduce violent crime and focus on early detection of violent criminal behavior;

(3) The creation of policies and procedures to address crime recidivism;

(4) The creation of policies and procedures regarding crime data collection and methods for monitoring crime data; and

(5) The development of strategies for improving mental and social service programs to address systemic needs for reducing violent crime in the city not within a county.

3. The intervention and compliance unit shall have a membership of individuals including, but not limited to, representatives from the following entities:

(1) The St. Louis metropolitan police department;

(2) City prosecutors;

(3) Local courts;

(4) The department of social services;

(5) Local government leaders;

(6) Civic organizations;

(7) Local schools; and

(8) Local probation and parole offices.

4. There is hereby created in the state treasury the “Intervention and Compliance Unit Pilot Program Fund”, which shall consist of all gifts, bequests, transfers, and moneys appropriated by the general assembly under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the pilot program established under this section. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner

as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of public safety shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Pursuant to section 23.253:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 132, Section 632.520, Line 22 of said page, by inserting after all of said line the following:

“650.055. 1. Every individual who:

(1) Is found guilty of a felony or any offense under chapter 566; or

(2) Is seventeen years of age or older and arrested for [burglary in the first degree under section 569.160, or burglary in the second degree under section 569.170, or] a felony offense [under chapter 565, 566, 567, 568, or 573]; or

(3) Has been determined to be a sexually violent predator pursuant to sections 632.480 to 632.513; or

(4) Is an individual required to register as a sexual offender under sections 589.400 to 589.425; shall have a fingerprint and blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis.

2. Any individual subject to DNA collection and profiling analysis under this section shall provide a DNA sample:

(1) Upon booking at a county jail or detention facility; or

(2) Upon entering or before release from the department of corrections reception and diagnostic centers;

or

(3) Upon entering or before release from a county jail or detention facility, state correctional facility, or any other detention facility or institution, whether operated by a private, local, or state agency, or any mental health facility if committed as a sexually violent predator pursuant to sections 632.480 to 632.513; or

(4) When the state accepts a person from another state under any interstate compact, or under any other reciprocal agreement with any county, state, or federal agency, or any other provision of law, whether or not the person is confined or released, the acceptance is conditional on the person providing a DNA sample if the person was found guilty of a felony offense in any other jurisdiction; or

(5) If such individual is under the jurisdiction of the department of corrections. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in section 217.650, and on parole, as also defined in section 217.650; or

(6) At the time of registering as a sex offender under sections 589.400 to 589.425.

3. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over individuals included in subsection 1 of this section which shall not be set aside or reversed is hereby made mandatory. The board of probation or parole shall recommend that an individual on probation or parole who refuses to provide a DNA sample have his or her probation or parole revoked. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.

4. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA databank system.

5. Unauthorized use or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice or law enforcement is a class A misdemeanor.

6. Implementation of sections 650.050 to 650.100 shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA databank system.

7. All DNA records and biological materials retained in the DNA profiling system are considered closed records pursuant to chapter 610. All records containing any information held or maintained by any person or by any agency, department, or political subdivision of the state concerning an individual's DNA profile shall be strictly confidential and shall not be disclosed, except to:

(1) Peace officers, as defined in section 590.010, and other employees of law enforcement agencies who need to obtain such records to perform their public duties;

(2) The attorney general or any assistant attorneys general acting on his or her behalf, as defined in chapter 27;

(3) Prosecuting attorneys or circuit attorneys as defined in chapter 56, and their employees who need to obtain such records to perform their public duties;

(4) The individual whose DNA sample has been collected, or his or her attorney; or

(5) Associate circuit judges, circuit judges, judges of the courts of appeals, supreme court judges, and their employees who need to obtain such records to perform their public duties.

8. Any person who obtains records pursuant to the provisions of this section shall use such records only for investigative and prosecutorial purposes, including but not limited to use at any criminal trial, hearing, or proceeding; or for law enforcement identification purposes, including identification of human remains. Such records shall be considered strictly confidential and shall only be released as authorized by this section.

9. An individual may request expungement of his or her DNA sample and DNA profile through the court issuing the reversal or dismissal. A certified copy of the court order establishing that such conviction has been reversed or guilty plea has been set aside shall be sent to the Missouri state highway patrol crime laboratory. Upon receipt of the court order, the laboratory will determine that the requesting individual has no other qualifying offense as a result of any separate plea or conviction and no other qualifying arrest prior to expungement.

(1) A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section and sections 650.050, 650.052, and 650.100 may request expungement on the grounds that the conviction has been reversed, or the guilty plea on which the authority for including that person's DNA record or DNA profile was based has been set aside.

(2) Upon receipt of a written request for expungement, a certified copy of the final court order reversing the conviction or setting aside the plea and any other information necessary to ascertain the validity of the request, the Missouri state highway patrol crime laboratory shall expunge all DNA records and identifiable information in the state DNA database pertaining to the person and destroy the DNA sample of the person, unless the Missouri state highway patrol determines that the person is otherwise obligated to submit a DNA sample. Within thirty days after the receipt of the court order, the Missouri state highway patrol shall notify the individual that it has expunged his or her DNA sample and DNA profile, or the basis for its determination that the person is otherwise obligated to submit a DNA sample.

(3) The Missouri state highway patrol is not required to destroy any item of physical evidence obtained from a DNA sample if evidence relating to another person would thereby be destroyed.

(4) Any identification, warrant, arrest, or evidentiary use of a DNA match derived from the database shall not be excluded or suppressed from evidence, nor shall any conviction be invalidated or reversed or plea set aside due to the failure to expunge or a delay in expunging DNA records.

10. When a DNA sample is taken from an individual pursuant to subdivision (2) of subsection 1 of this section and the prosecutor declines prosecution and notifies the arresting agency of that decision, the arresting agency shall notify the Missouri state highway patrol crime laboratory within ninety days of receiving such notification. Within thirty days of being notified by the arresting agency that the prosecutor has declined prosecution, the Missouri state highway patrol crime laboratory shall determine whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken and retained. If the individual has no other qualifying offenses or arrests, the crime laboratory shall expunge all DNA records in the database taken at the arrest for which the prosecution was declined pertaining to the

person and destroy the DNA sample of such person.

11. When a DNA sample is taken of an arrestee for any offense listed under subsection 1 of this section and charges are filed:

(1) If the charges are later withdrawn, the prosecutor shall notify the state highway patrol crime laboratory that such charges have been withdrawn;

(2) If the case is dismissed, the court shall notify the state highway patrol crime laboratory of such dismissal;

(3) If the court finds at the preliminary hearing that there is no probable cause that the defendant committed the offense, the court shall notify the state highway patrol crime laboratory of such finding;

(4) If the defendant is found not guilty, the court shall notify the state highway patrol crime laboratory of such verdict. If the state highway patrol crime laboratory receives notice under this subsection, such crime laboratory shall determine, within thirty days, whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken. If the individual has no other qualifying arrests or offenses, the crime laboratory shall expunge all DNA records in the database pertaining to such person and destroy the person's DNA sample.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 27, Section 198.070, Line 17 of said page, by inserting after all of said line the following:

“211.059. 1. When a child is taken into custody by a juvenile officer or law enforcement official, with or without a warrant for an offense in violation of the juvenile code or the general law which would place the child under the jurisdiction of the juvenile court pursuant to subdivision (2) or (3) of subsection 1 of section 211.031, the child shall be advised prior to questioning:

(1) That he has the right to remain silent; and

(2) That any statement he does make to anyone can be and may be used against him; and

(3) That he has a right to have a parent, guardian or custodian present during questioning; and

(4) That he has a right to consult with an attorney and that one will be appointed and paid for him if he cannot afford one.

2. If the child indicates in any manner and at any stage of questioning pursuant to this section that he does not wish to be questioned further, the officer shall cease questioning.

3. When a child is taken into custody by a juvenile officer or law enforcement official which places the child under the jurisdiction of the juvenile court under subdivision (1) of subsection 1 of section 211.031, including any interactions with the child by the children's division, the following shall apply:

(1) If the child indicates in any manner at any stage during questioning involving the alleged abuse and neglect that the child does not wish to be questioned any further on the allegations, or that the child wishes

to have his or her parent, legal guardian, or custodian if such parent, guardian, or custodian is not the alleged perpetrator, or his or her attorney present during questioning as to the alleged abuse, the questioning of the child shall cease on the alleged abuse and neglect until such a time that the child does not object to talking about the alleged abuse and neglect unless the interviewer has reason to believe that the parent, legal guardian, or custodian is acting to protect the alleged perpetrator. Nothing in this subdivision shall be construed to prevent the asking of any questions necessary for the care, treatment, or placement of a child; and

(2) Notwithstanding any prohibition of hearsay evidence, all video or audio recordings of any meetings, interviews, or interrogations of a child shall be presumed admissible as evidence in any court or administrative proceeding involving the child if the following conditions are met:

(a) Such meetings, interviews, or interrogations of the child are conducted by the state prior to or after the child is taken into the custody of the state; and

(b) Such video or audio recordings were made prior to the adjudication hearing in the case. Nothing in this paragraph shall be construed to prohibit the videotaping or audiotaping of any such meetings, interviews, or interrogations of a child after the adjudication hearing; and

(3) Only upon a showing by clear and convincing evidence that such a video or audio recording lacks sufficient indicia of reliability shall such recording be inadmissible.

The provisions of this subsection shall not apply to statements admissible under section 491.075 or 492.304 in criminal proceedings.

4. For the purposes of this section, any court recognized exception from the required warnings given by law enforcement concerning constitutional rights to an adult prior to custodial interrogation shall also apply to a child taken into custody. Any evidence obtained in violation of this section shall be treated by the courts in the same manner as evidence collected in violation of an adult's right to be given warnings concerning constitutional rights prior to custodial interrogation.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 590, Page 41, Section 301.559, Line 18, by inserting immediately after said line the following:

“304.351. 1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway, provided, however, there is no form of traffic control at such intersection.

2. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. This subsection shall not apply to vehicles approaching each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.

3. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

4. (1) The state highways and transportation commission with reference to state highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersection.

(2) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in this section:

(a) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic in the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(b) The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.

5. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.

6. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.

7. The state highways and transportation commission or local authorities with respect to roads under their respective jurisdictions, on any section where construction or major maintenance operations are being effected, may fix a speed limit in such areas by posting of appropriate signs, and the operation of a motor vehicle in excess of such speed limit in the area so posted shall be deemed prima facie evidence of careless and imprudent driving and a violation of section 304.010.

8. Notwithstanding the provisions of section 304.361, violation of this section shall be deemed a class C misdemeanor.

9. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused physical injury, there shall be assessed a penalty of up to [two hundred] **five hundred dollars, but no less than two hundred dollars**. The court may issue an order of suspension of such person's driving privilege for a period of thirty days.

10. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused serious physical injury, there shall be assessed a penalty of up to [five hundred] **one thousand five hundred dollars, but no less two hundred fifty dollars**. The court may issue an order of suspension of such person's driving privilege for a period of ninety days.

11. In addition to the penalty specified in subsection 8 of this section, any person who pleads guilty to or is found guilty of a violation of this section in which the offender is found to have caused a fatality, there shall be assessed a penalty of up to [one] **five** thousand dollars, **but no less than one thousand dollars**. The court may issue an order of suspension of such person's driving privilege for a period of six months. **Such person shall also be required to participate in and successfully complete a driver-improvement program approved by the director of the department of revenue.**

12. As used in subsections 9 and 10 of this section, the terms "physical injury" and "serious physical injury" shall have the meanings ascribed to them in section 556.061.

13. For any court-ordered suspension under subsection 9, 10, or 11 of this section, the director of the department shall impose such suspension as set forth in the court order. The order of suspension shall include the name of the offender, the offender's driver's license number, Social Security number, and the effective date of the suspension. Any appeal of a suspension imposed under subsection 9, 10, or 11 of this section shall be a direct appeal of the court order and subject to review by the presiding judge of the circuit court or another judge within the circuit other than the judge who issued the original order to suspend the driver's license. The director of revenue's entry of the court-ordered suspension on the driving record is not a decision subject to review under section 302.311. Any suspension of the driver's license ordered by the court under this section shall be in addition to any other suspension that may occur as a result of the conviction under other provisions of law."; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 590**, with **SCS**, **SS** for **SCS** and **SA 8** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1912**—Jobs, Economic Development and Local Government.

HCS for **HB 1776**—Progress and Development.

HCS for **HB 2108**—Ways and Means.

HCS for **HB 2029**—Veterans' Affairs and Health.

HCS for **HB 2402**—Veterans' Affairs and Health.

HCS for **HB 2453**—General Laws and Pensions.

HCS for **HB 1976**—Transportation, Infrastructure and Public Safety.

HCS for **HB 1788**—Transportation, Infrastructure and Public Safety.

HB 1936—Judiciary and Civil and Criminal Jurisprudence.

HB 1620—Seniors, Families and Children.

HCS for HB 2194—Small Business, Insurance and Industry.

HB 2591—Transportation, Infrastructure and Public Safety.

HJR 58—Progress and Development.

HB 1735—Education.

HB 1761—Transportation, Infrastructure and Public Safety.

HB 1786—Transportation, Infrastructure and Public Safety.

HCS for HB 2600—Appropriations.

HCS for HBs 1434 & 1600—Jobs, Economic Development and Local Government.

HCS for HB 1923—Veterans' Affairs and Health.

HCS for HB 1930—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1759—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 2234 & 1985—Education.

HCS for HB 1684—Jobs, Economic Development and Local Government.

HCS for HB 2380—Transportation, Infrastructure and Public Safety.

HCS for HB 1413—Agriculture, Food Production and Outdoor Resources.

HB 2428—Education.

HB 2480—General Laws and Pensions.

HB 2499—Jobs, Economic Development and Local Government.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1882, regarding David Kemm, Marshall, which was adopted.

Senator Pearce offered Senate Resolution No. 1883, regarding Madeline “Maddy” Mills, Lawson, which was adopted.

Senator Pearce offered Senate Resolution No. 1884, regarding Madison Schmerbach, Lawson, which was adopted.

Senator Curls offered Senate Resolution No. 1885, regarding the death of Annie M. “Mother” Franklin, Kansas City, which was adopted.

Senator Hegeman offered Senate Resolution No. 1886, regarding Jordyn Beard, which was adopted.

Senator Hegeman offered Senate Resolution No. 1887, regarding the Fiftieth Wedding Anniversary of Terry and Mary Lowe, Green Castle, which was adopted.

Senator Hegeman offered Senate Resolution No. 1888, regarding the One Hundredth Birthday of Faye Moses, Maryville, which was adopted.

VETOED BILLS

Senator Schmitt moved that **SCR 46** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 661**, **SB 726** and **SB 741**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 661**, **726** and **741**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 661, 726 and 741

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to actions committed by government officials, with an emergency clause for a certain section and an effective date for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **SBs 661**, **726** and **741** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SBs 661**, **726** and **741** was declared perfected and ordered printed.

Senator Dixon moved that **SB 588**, **SB 603** and **SB 942**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 588**, **603** and **942**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 588, 603 and 942

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records.

Was taken up.

Senator Dixon moved that **SCS** for **SBs 588, 603 and 942** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SBs 588, 603 and 942** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 618**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 618**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 618

An Act to repeal sections 211.033, 211.071, 211.151, 221.044, and 221.240, RSMo, and to enact in lieu thereof five new sections relating to the detention of persons under the age of seventeen in adult facilities, with an effective date for certain sections.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 618** be adopted.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 618, Page 1, Section 211.033, Lines 3-4, by striking the bold-faced language from said lines and inserting in lieu thereof the following: **“who have been sentenced to serve an adult criminal sentence or those placed by the court in one of the department of corrections’ one hundred twenty-day programs under subsection 4 of section 559.036, or as otherwise provided in subsection 13 of section 211.071,”**; and

Further amend said bill, page 8, section 221.044, lines 1-7, by striking all of said lines and inserting in lieu thereof the following:

“221.044. No person under the age of seventeen years, except those transferred to the court of general jurisdiction under the provisions of section 211.071, **who have been sentenced to serve an adult criminal sentence or those placed by the court in one of the department of corrections’ one hundred twenty-day programs under subsection 4 of section 559.036, or as otherwise provided in subsection 13 of section 211.071**, shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of seventeen to a juvenile detention facility.”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 618, Page 1, In the Title, Lines 3-4, by striking “the detention of persons under the age of seventeen in adult facilities” and inserting in lieu thereof the

following: “criminal offenders”; and

Further amend said bill, page 8, section 211.151, line 116, by inserting immediately after said line the following:

“217.151. 1. For purposes of this section, “extraordinary circumstances” exist when a doctor treating the pregnant or postpartum offender makes an individualized determination that restraints are necessary to prevent a pregnant or postpartum offender from escaping or seriously injuring herself, medical or correctional personnel, or others.

2. The necessary health care standards for pregnant and postpartum offenders shall include:

(1) Except in extraordinary circumstances, no restraints of any kind may be used on offenders during the second and third trimesters of pregnancy or for forty-eight hours post-delivery, whether during transportation to and from visits to health care providers and court proceedings or during labor and delivery;

(2) Pregnant and postpartum offenders shall be transported to and from visits to health care providers and court proceedings in vehicles with seatbelts;

(3) Any time restraints are used on a pregnant or postpartum offender, the restraints shall be the least restrictive available and the most reasonable under the circumstances. In no case shall leg or waist restraints be used on any pregnant or postpartum offender; and

(4) If a doctor, nurse, or other health care provider treating the pregnant or postpartum offender requests that restraints not be used, the corrections officer accompanying the pregnant or postpartum offender shall immediately remove all restraints.

3. In the event a doctor determines that extraordinary circumstances exist and restraints are used, the doctor shall fully document in writing within seven days of the incident the reasons he or she determined such extraordinary circumstances existed, the kind of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances.

4. The sentencing and corrections oversight commission established under section 217.147, and the advisory committee established under section 217.015, shall conduct biannual reviews of every report written on the use of restraints on a pregnant or postpartum offender in accordance with subsection 3 of this section to determine compliance with this section. The written reports shall be kept on file by the department for five years.

5. The chief administrative officer of each correctional center shall:

(1) Ensure that employees of the correctional center who come in contact with pregnant or postpartum offenders are provided with training, which may include online training, on the provisions of this section; and

(2) Inform female offenders of the policies and practices developed in accordance with this section upon admission to the correctional center, including the policies and practices in the offender handbook, and post the policies and practices in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 618, page 8, section 211.151, line 116, by inserting immediately after said line the following:

“211.436. 1. When a court of jurisdiction in juvenile cases has a local court rule or otherwise mandates that a juvenile shall be restrained during court proceedings using either handcuffs, chains, irons, or a straitjacket, the juvenile’s attorney shall have the right to be heard on the issue of the necessity of restraints on the juvenile and request that the restraints on the juvenile not be used. The juvenile’s attorney may present evidence that the juvenile is not a flight risk, poses no safety risk to himself or herself or others, or has no history of disruptive courtroom behavior.

2. If the court orders that restraints shall be used on the juvenile, the court shall make findings of fact in support of such use.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS for SB 618**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS for SB 618**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 681** be taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 681** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 702** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 702** was declared perfected and ordered printed.

Senator Kraus moved that **SB 1025** be taken up for perfection, which motion prevailed.

President Pro Tem Richard assumed the Chair.

On motion of Senator Kraus, **SB 1025** was declared perfected and ordered printed.

Senator Silvey moved that **SB 856**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 856, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 856

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

Was taken up.

Senator Silvey moved that **SCS for SB 856** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS for SB 856** was declared perfected and ordered printed.

Senator Kraus moved that **SB 988** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 988** was declared perfected and ordered printed.

Senator Wasson moved that **SB 973**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 973**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to dispensing maintenance medication.

Was taken up.

Senator Hegeman assumed the Chair.

Senator Wasson moved that **SCS** for **SB 973** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 973** was declared perfected and ordered printed.

Senator Riddle moved that **SB 921**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 921**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 921

An Act to repeal sections 43.545, 455.543, and 455.545, RSMo, and to enact in lieu thereof three new sections relating to the reporting of incidents by law enforcement agencies.

Was taken up.

Senator Riddle moved that **SCS** for **SB 921** be adopted.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 921, Page 1, In the Title, Lines 3-4, by striking the words "the reporting of incidents by law enforcement agencies" and inserting in lieu thereof the following: "domestic violence"; and

Further amend said bill and page, section 43.545, line 6 by inserting after all of said line the following:

"173.2050. 1. The governing board of each public institution of higher education in this state shall engage in discussions with law enforcement agencies with jurisdiction over the premises of an institution to develop and enter into a memorandum of understanding concerning sexual assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

2. The memorandum of understanding shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional practices. At a minimum, the memorandum shall set out procedural requirements for the reporting of an offense, protocol for establishing who has jurisdiction over an offense, and criteria for determining when an offense is to be reported to law enforcement.

3. The department of public safety in cooperation with the department of higher education shall

promulgate rules and regulations to facilitate the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Riddle moved that **SCS** for **SB 921**, as amended, be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **SB 921**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 801**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

SCS for **SB 801**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 801

An Act to repeal section 475.024, RSMo, and to enact in lieu thereof four new sections relating to guardianships.

Was taken up.

Senator Sater moved that **SCS** for **SB 801** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 801**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 801

An Act to repeal section 475.024, RSMo, and to enact in lieu thereof four new sections relating to guardianships.

Senator Sater moved that **SS** for **SCS** for **SB 801** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 801, Page 1, Section A, Line 3, by inserting after all of said line the following:

“210.660. As used in sections 210.660 to 210.680, the following terms shall mean:

(1) “Age- or developmentally-appropriate activities”:

(a) Activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity or that are determined to be developmentally-appropriate for

a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group; and

(b) In the case of a specific child, activities, or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child;

(2) “Caregiver”, a foster parent, relative, or kinship provider with whom a child in foster care has been placed or a designated official for a child care institution in which a child in foster care has been placed;

(3) “Division”, the Missouri children’s division within the department of social services;

(4) “Reasonable and prudent parent standard”, the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural, and social activities.

210.665. 1. Except as otherwise provided in subsection 8 of this section, the court and all parties to a case under chapter 211 involving a child in care shall defer to the reasonable decisions of the child’s designated caregiver involving the child’s participation in extracurricular, enrichment, cultural, and social activities.

2. A caregiver shall use the reasonable and prudent parent standard when making decisions relating to the activity of the child.

3. The division or a contracted agency thereof shall designate at least one onsite caregiver who has authority to apply the reasonable and prudent parent standard for each child placed in its custody.

4. The caregiver shall consider:

(1) The child’s age, maturity, and developmental level;

(2) The overall health and safety of the child;

(3) Potential risk factors and appropriateness of the activity;

(4) The best interests of the child;

(5) Promoting, where safe and as appropriate, normal childhood experiences; and

(6) Any other relevant factors based on the caregiver’s knowledge of the child.

5. Caregivers shall receive training with regard to the reasonable and prudent parent standard as required by the division. The training shall include:

(1) Knowledge and skills relating to the developmental stages of the cognitive, emotional, physical, and behavioral capacities of a child;

(2) Knowledge and skills relating to applying the standard to decisions, including but not limited to whether to allow the child to engage in social, extracurricular, enrichment, cultural, and social activities, such as sports, field trips, and overnight activities lasting one or more days; and

(3) Knowledge and skills relating to decisions, including but not limited to the signing of

permission slips and arranging of transportation for the child to and from extracurricular, enrichment, and social activities.

6. A caregiver shall not be liable for harm caused to a child while participating in an activity chosen by the caregiver, provided the caregiver acted in accordance with the reasonable and prudent parent standard.

7. No court shall order the division or a contracted agency thereof to provide funding for activities chosen by the caregiver.

8. A caregiver's decisions with regard to the child may be overturned by the court only if, upon notice and a hearing, the court finds by clear and convincing evidence the reasonable and prudent parent standard has been violated. The caregiver shall have the right to receive notice, to attend the hearing, and to present evidence at the hearing.

210.670. 1. Children in foster care under the responsibility of the state who have attained the age of fourteen shall be consulted in the development of, revision of, or addition to their case plan.

2. The children may choose individuals to participate as members of the family support team. The division may reject members chosen by the child if the division has good cause to believe the individual would not act in the best interests of the child. The child may designate one member to be his or her advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.

3. The child shall receive:

(1) A document which describes the rights of the child with respect to education, health, visitation, court participation, the child's right to documents pursuant to subsection 4 of this section, and the child's right to stay safe and avoid exploitation; and

(2) A signed acknowledgment by the child indicating he or she has been provided with a copy of the document, and the child's rights contained in the document have been explained to the child in an age- and developmentally-appropriate manner.

4. If a child is leaving foster care by reason of having attained eighteen years of age or such greater age as the state has elected, the division shall provide the child with an official or certified copy of his or her United States birth certificate, a social security card issued by the Commissioner of Social Security, health insurance information, a copy of the child's medical records, and a driver's license or identification card issued by the state, unless the child has been in foster care for less than six months and unless the child is ineligible to receive such documents.

210.675. 1. No child in foster care under the responsibility of the state under the age of sixteen shall have a permanency plan of another planned permanent living arrangement.

2. For children with a permanency plan of another planned permanent living arrangement, the court shall make the following findings of fact and conclusions of law at each permanency hearing:

(1) The division's intensive, ongoing, and unsuccessful efforts to return the child home or to secure a placement for the child with a fit and willing relative, such as adult siblings, a legal guardian, or an adoptive parent, including efforts to utilize search technology, like social media, to find biological family members of the child;

(2) The child's desired permanency outcome;

(3) A judicial determination explaining why, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child, including compelling reasons why it continues not to be in the best interests of the child to:

(a) Return home;

(b) Be placed for adoption;

(c) Be placed with a legal guardian; or

(d) Be placed with a fit and willing relative; and

(4) The division's efforts to ensure:

(a) The child's foster family home child care institution is following the reasonable and prudent parent standard; and

(b) The child has regular, ongoing opportunities to engage in age- or developmentally-appropriate activities, including consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities.

210.680. The division shall adopt regulations to implement the requirements of sections 210.660 to 210.675. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

At the request of Senator Sater, **SB 801**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Wallingford moved that **SB 964**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 964**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 964**

An Act to repeal sections 452.310, 452.375, 452.400, 452.410, and 452.556, RSMo, and to enact in lieu thereof five new sections relating to child custody orders, with existing penalty provisions.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 964** be adopted.

At the request of Senator Wallingford, **SB 964**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Brown moved that **SB 986**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 986**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986

An Act to authorize the conveyance of certain state properties.

Was taken up.

Senator Brown moved that **SCS** for **SB 986** be adopted.

Senator Brown offered **SS** for **SCS** for **SB 986**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Senator Brown moved that **SS** for **SCS** for **SB 986** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SCS** for **SB 986** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SB 623**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

At the request of Senator Libla, **SB 624** was placed on the Informal Calendar.

SS for **SB 623**, introduced by Senator Libla, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 623

An Act to repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes, with a referendum clause.

Was taken up.

On motion of Senator Libla, **SS** for **SB 623** was read the 3rd time and passed by the following vote:

YEAS—Senators

Cunningham	Dixon	Hegeman	Holsman	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Parson	Pearce	Richard	Riddle	Romine
Sater	Schatz	Schupp	Wallingford	Walsh	Wasson	Wieland—21

NAYS—Senators

Brown	Curls	Emery	Kraus	Onder	Schaaf	Schaefer
Schmitt	Sifton	Silvey—10				

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 719**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 995**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 788**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2001**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2002**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2003**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2004**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2005**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2006**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2007**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2009**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2010**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2011**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2012**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2013**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Keaveny, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 1131**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 1033**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1414**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 1729**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which were referred **SB 1010**, **SB 958** and **SB 878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 793**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 988**; **SCS** for **SB 973**; **SCS** for **SB 618**; **SB 1025**; **SCS** for **SB 856**; **SB 702**; **SB 681**; **SCS** for **SBs 588, 603 and 942**; and **SCS** for **SBs 661, 726 and 741**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 1003**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 1004**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1870**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1550**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1562**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1877**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 921**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On behalf of Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 884**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1733**, begs leave to report that it has considered the same and recommends that the bill do pass.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, Dr. Donna Washburn and her children, Evan and Emma, Springfield.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Curtis Long, Bates County.

Senator Romine introduced to the Senate, his mother June, Poplar Bluff.

Senator Romine introduced to the Senate, Debby Bust, Sharon Gibson, Devin Sexton, Kelly Sexton-Alfaro, Judy Wright, Carmen Litton, Chris Conway and Eddie Strauser, Potosi.

Senator Wieland introduced to the Senate, Nancy Reynolds, Jane Sanderson, Cheryl Schuster, Barbara Anderson, Joyce Robins and Theresa Welch, Camdenton; Mary Ann Overkamp, Osage Beach; and Anita Kowal, Linn Creek.

Senator Richard introduced to the Senate, Head Coach Jeremy Phillips, and Trenton Young, John Williams, Gannon Millard, Cody Rains, Kyler Ray, Joey Williams, Kyle Hostetter, Adrian Hitchcock and Jordan White, Neosho High School Wrestling Team.

Senator Pearce introduced to the Senate, Miss Missouri McKensie Garber, Hale; and Daniel Savage, Chillicothe.

Senator Parson introduced to the Senate, teacher Carolyn Allison, and Paris Given, Makayla Hostettler, Alex Hamilton, Thomas Rauscher, Gracie Brune, Faith Sabala, Micahla Shields, Alyssa Cobb, Elijah Biddle, Jordan Wilson, Rayanna Williams, Andrew Bourcier and Amber Irek, eighth grade students from Hermitage Middle School.

Senator Pearce introduced to the Senate, social workers from the University of Central Missouri, Warrensburg.

Senator Walsh introduced to the Senate, teacher Brian Geldmacher and seventh grade students from Salem Lutheran School, Florissant; and Sidney Martin, Kelis Clark, Jackson Hurd and Robert Jackson were made honorary pages.

Senator Kehoe introduced to the Senate, Tom Kolb, Jefferson City.

Senator Pearce introduced to the Senate, Charles Stephenson, Marshall.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY—THURSDAY, APRIL 7, 2016

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|-------------------------------|--|
| 1. SB 988-Kraus | 7. SB 681-Cunningham |
| 2. SCS for SB 973-Wasson | 8. SCS for SBs 588, 603 & 942-Dixon and
Curls |
| 3. SCS for SB 618-Wallingford | 9. SCS for SBs 661, 726 & 741-Dixon |
| 4. SB 1025-Kraus | 10. SCS for SB 921-Riddle |
| 5. SCS for SB 856-Silvey | |
| 6. SB 702-Munzlinger | |

SENATE BILLS FOR PERFECTION

1. SB 1002-Hegeman
2. SB 898-Cunningham
3. SBs 789 & 595-Wasson, with SCS
4. SB 659-Wasson
5. SB 575-Schaefer, with SCS
6. SB 827-Sifton
7. SB 638-Riddle and Silvey, with SCS
8. SB 805-Onder, with SCS
9. SB 894-Munzlinger
10. SB 985-Wasson
11. SB 932-Cunningham
12. SB 576-Keaveny
13. SB 577-Keaveny
14. SB 663-Dixon, with SCS
15. SB 947-Parson
16. SB 858-Romine, with SCS
17. SB 899-Parson
18. SB 806-Onder, with SCS
19. SB 904-Pearce, with SCS
20. SB 998-Romine, with SCS
21. SB 873-Pearce
22. SB 968-Brown, with SCS
23. SB 996-Pearce, with SCS
24. SBs 857 & 712-Romine, with SCS
25. SB 941-Dixon
26. SB 869-Schmitt
27. SB 658-Wasson
28. SB 1057-Schaaf, with SCS
29. SB 951-Wasson
30. SJR 23-Sater
31. SB 1096-Dixon and Keaveny
32. SB 1012-Dixon
33. SB 1014-Dixon
34. SB 812-Keaveny
35. SB 775-Schaefer
36. SB 613-Cunningham, et al, with SCS
37. SB 792-Richard
38. SB 868-Wasson
39. SJR 35-Kraus, with SCS
40. SB 798-Kraus, with SCS
41. SB 920-Schmitt and Kraus
42. SB 1094-Kehoe, with SCS
43. SB 622-Romine, with SCS
44. SB 1005-Walsh
45. SB 972-Silvey
46. SB 966-Schaaf
47. SB 908-Sater, with SCS
48. SB 853-Brown
49. SBs 662 & 587-Dixon, with SCS
50. SB 1075-Wallingford
51. SB 883-Riddle
52. SB 896-Hegeman
53. SB 1074-Schmitt, with SCS
54. SB 1144-Brown
55. SB 871-Wallingford
56. SB 1026-Schatz, with SCS
57. SB 1066-Curls
58. SB 1139-Silvey and Holsman
59. SBs 851 & 694-Brown, with SCS
60. SB 1028-Silvey, et al, with SCS
61. SB 848-Emery, with SCS
62. SB 719-Emery, with SCS
63. SB 995-Riddle
64. SB 788-Schatz, with SCS
65. SB 1131-Sifton
66. SB 1033-Pearce
67. SBs 1010, 958 & 878-Curls, with SCS
68. SB 793-Richard
69. SB 1003-Onder
70. SB 1004-Onder
71. SB 884-Munzlinger

HOUSE BILLS ON THIRD READING

1. HJR 53-Dugger (Kraus)
2. HCS for HB 2001 (Schaefer)
3. HCS for HB 2002, with SCS (Schaefer)
4. HCS for HB 2003, with SCS (Schaefer)
5. HCS for HB 2004, with SCS (Schaefer)
6. HCS for HB 2005, with SCS (Schaefer)
7. HCS for HB 2006, with SCS (Schaefer)
8. HCS for HB 2007, with SCS (Schaefer)

- | | |
|---|---------------------------------------|
| 9. HCS for HB 2008, with SCS (Schaefer) | 16. HCS for HB 1729, with SCS |
| 10. HCS for HB 2009, with SCS (Schaefer) | 17. HB 1870-Hoskins (Pearce) |
| 11. HCS for HB 2010, with SCS (Schaefer) | 18. HCS for HB 1550, with SCS (Sater) |
| 12. HCS for HB 2011, with SCS (Schaefer) | 19. HCS for HB 1562 (Onder) |
| 13. HCS for HB 2012, with SCS (Schaefer) | 20. HCS for HB 1877 (Wallingford) |
| 14. HCS for HB 2013 (Schaefer) | 21. HB 1733-Davis |
| 15. HB 1414-Houghton, with SCS (Munzlinger) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 624-Libla

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 801-Sater, with SCS & SS for SCS |
| SB 590-Dixon, with SCS, SS for SCS &
SA 8 (pending) | (pending) |
| SB 612-Cunningham | SB 802-Sater |
| SB 619-Wallingford | SB 816-Wieland, et al |
| SB 644-Onder, with SCS | SB 825-Munzlinger, with SA 1 (pending) |
| SB 680-Emery | SB 916-Schaefer |
| SB 706-Dixon | SB 964-Wallingford, with SCS (pending) |
| SB 772-Onder, with SCS | SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending) |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2166-Alferman, with SCS & SS for SCS |
| HB 1575-Rowden, with SCA 1 (Onder) | (pending) (Onder) |
| HB 1631-Alferman, with SCS, SS for SCS &
SA 1 (pending) (Kraus) | HB 2226-Barnes (Silvey) |

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

- | | |
|--|--|
| HB 1979-Rowden, with SS for SCS, as
amended (Onder) | HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) |
|--|--|

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed

SCRs 53 & 44-Schaefer, with SCS
SCR 55-Holsman
SCR 61-Parson

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-EIGHTH DAY—THURSDAY, APRIL 7, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Three things restore a person’s good spirit: beautiful sounds, sights and smells.” (Babylonian Talmud, Berakhot 57b)

Loving Father, we look on our world and too often we see the evil and ugliness that is in it. Such times open us to question and we ask why and we seek Your guidance. We find within You a steadfast love that helps us see Your caring and gracious presence that can help us overcome evil with good and help those in need about us. We are thankful for Your teaching and direction. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV and the Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1889, regarding The Arcade Building, St. Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 1890, regarding Patty Maher, which was adopted.

Senator Nasheed offered Senate Resolution No. 1891, regarding Heavyn Jennings, St. Louis, which was adopted.

Senator Libla offered Senate Resolution No. 1892, regarding Jake Rice, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Donald Summers, Republican, as a member of the Missouri Ethics Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Richard moved that the committee report be adopted, and the Senate do give its advice and consent to the above appointment, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **SCS** for **SBs 661, 726 and 741; SB 1025; SB 681; SCS** for **SB 856;** and **SCS** for **SBs 588, 603 and 942** to the Committee on Governmental Accountability and Fiscal Oversight.

The Senate observed a moment of silence for the fallen Franklin County Missouri Department of Transportation employee.

HOUSE BILLS ON THIRD READING

At the request of Senator Kraus, **HJR 53** was placed on the Informal Calendar.

HCS for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 2001** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Romine assumed the Chair.

HCS for HB 2002, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2002, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2002** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2002** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Holsman Schupp—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2003**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2003**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer

money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2003** be adopted.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, Page 1, In the Title, Lines 9-13, by striking all of said lines and inserting in lieu thereof the following: "State Treasurer, or Attorney General."

Senator Holsman moved that the above amendment be adopted.

Senator Schupp requested a roll call vote be taken on the adoption of **SA 1** and was joined in her request by Senators Chappelle-Nadal, Holsman, Keaveny and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Pearce	Romine
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Richard	Riddle	Sater
Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schmitt assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2003** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2003** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Kehoe
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Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson—24				

NAYS—Senators

Chappelle-Nadal	Holsman	Keaveny	Pearce	Schupp	Sifton	Walsh
Wieland—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2004, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Missouri Highways and Transportation Commission.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2004, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices

of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2004** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2004** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2005**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2005**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and also provided that no funds shall be expended for the purpose of making payments on new or refinanced bonds on building renovations for an entertainment and sports arena located at 1401 Clark Avenue, St. Louis, Missouri 63103.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2005** be adopted, which motion prevailed.

Senator Onder assumed the Chair.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2005** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

HCS for **HB 2006**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided the Department of Natural Resources notify members of the General Assembly about pending land purchases sixty (60) days prior to the close of sale, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Conservation Commission, and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly, and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

Was taken up by Senator Schaefer.

SCS for HCS for **HB 2006**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided the Department of Natural Resources notify members of the General Assembly about pending land purchases sixty (60) days prior to the close of sale, and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly, and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2006** be adopted.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, Page 21, Section 6.285, Lines 37-40, by deleting all of said lines from the bill; and

Further amend section and bill totals accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2006** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2006** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2007**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2007, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2007** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 2007** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2008, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2008**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2008** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2008** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2009**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2009, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2009** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 2009** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson—31				

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2010, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further

provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2010**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2010** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, Page 2, Section 10.025, Line 2, by inserting “Shall provide Mental Health assistance, training, and services in man-made and naturally occurring state declared disaster areas”

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2010**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2010**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senator Walsh—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2011, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2011, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2011** be adopted.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 1, In the Title, Lines 10-13, by striking all of said lines and inserting in lieu thereof the following: "as outlined under the Affordable Care Act."

Senator Schupp moved that the above amendment be adopted.

Senator Schupp offered **SSA 1** for **SA 1**, which was read:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1**

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 1, In the Title, Lines 8-13, by striking all of said lines and inserting in lieu thereof the following: “of State, State Auditor, State Treasurer, or Attorney General.”.

Senator Schupp moved that the above substitute amendment be adopted and requested a roll call vote. She was joined in her request by Senators Holsman, Keaveny, Schaaf and Sifton.

SSA 1 for **SA 1** failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—2

SA 1 was again taken up.

At the request of Senator Schupp, the above amendment was withdrawn.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 25, Section 11.455, Lines 25-26, by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$211,094,455

From Title XIX - Federal (0163).....\$416,116,234”; and

Further amend said bill and page, section 11.460, lines 12-13 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$8,260,062

From Title XIX - Federal (0163).....\$16,607,007”; and

Further amend said bill, page 27, section 11.485, lines 24-25 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$88,276,961

From Title XIX - Federal (0163).....\$169,678,790”; and

Further amend said bill and section, page 28, lines 52-53 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$16,518,027

From Title XIX - Federal (0163).....\$26,135,628”; and

Further amend said bill, page 30, section 11.505, lines 23-24 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$316,121,164

From Title XIX - Federal (0163).....\$839,292,375”; and further amend lines 28-29 by striking all of said lines and inserting in lieu thereof the following:

“From Health Initiatives Fund (0275).....\$4,260,908

From Federal Reimbursement Allowance Fund(0142) ...\$839,292,375”; and

Further amend said bill, page 31, section 11.510, lines 21-23 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$69,208,495

From Title XIX - Federal (0163).....\$512,130,876

From Federal Reimbursement Allowance Fund(0142) ...\$220,606,307”; and

Further amend said bill, page 34, section 11.555, lines 29-30 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$40,805,396

From Title XIX - Federal (0163).....\$139,147,054

From Uncompensated Care Fund (0108).....\$9,628,044”;

Further amend section and bill totals accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 25, Section 11.455, Lines 25-26, by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$211,094,455

From Title XIX - Federal (0163).....\$416,116,234”; and

further amend line 28 by striking the number “1,427,081” and inserting in lieu thereof the following: “15,480,985”; and

Further amend said bill and page, section 11.460, lines 12-13 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$8,260,062

From Title XIX - Federal (0163).....\$16,607,007”; and

Further amend said bill, page 27, section 11.485, lines 24-25 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$88,276,961

From Title XIX - Federal (0163).....\$169,678,790”; and

Further amend said bill and section, page 28, lines 52-53 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$16,518,027

From Title XIX - Federal (0163).....\$26,135,628”; and

Further amend said bill, page 30, section 11.505, lines 23-24 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$316,121,164

From Title XIX - Federal (0163).....\$839,292,375”; and further amend lines 28-29 by striking all of said lines and inserting in lieu thereof the following:

“From Health Initiatives Fund (0275).....\$4,260,908

From Federal Reimbursement Allowance Fund(0142) ...\$839,292,375”; and

Further amend said bill, page 31, section 11.510, lines 21-23 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$69,208,495

From Title XIX - Federal (0163).....\$512,130,876

From Federal Reimbursement Allowance Fund(0142) ...\$220,606,307”; and

Further amend said bill, page 34, section 11.555, lines 29-30 by striking all of said lines and inserting in lieu thereof the following:

“From General Revenue Fund (0101).....\$40,805,396

From Title XIX - Federal (0163).....\$139,147,054

From Uncompensated Care Fund (0108).....\$9,628,044”; and

Further amend section and bill totals accordingly.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 2, Line 5, by inserting after

the number “11.505,” the following: “lines 10-11 by striking all of said lines; and further amend line 12 by striking “July 1, 2017”; and further amend”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

SSA 1 for **SA 2** was again taken up.

At the request of Senator Schaaf, the above substitute amendment was withdrawn.

SA 2 was again taken up.

At the request of Senator Schaaf, the above amendment was withdrawn.

Senator Schaaf offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 30, Section 11.505, Line 15, by inserting after the number “11.600” the following:

“, and provided further that no contracts for vendor services of prepaid capitated health services to an expanded population of enrollees as provided by the House and Senate consisting of providers, payers and consumer groups has been presented to the members of the Missouri General Assembly regarding a strategy for implementation of a statewide care delivery model, including but not limited to managed care.”;

and further amend bills totals according.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Schaaf offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 30, Section 11.505, Line 15, by inserting after the number “11.600” the following:

“, and provided further that vendors of prepaid capitated services for an expanded group of enrollees pursuant to this section shall be awarded contracts for such services only after demonstrating the breadth and scope of their provider networks as evidenced by contractual agreements to affiliate, and shall maintain a medical loss ratio of not less than 90% and provided further that MO HealthNet Division shall receive all claims and encounter data of such an expansion of prepaid capitated coverage to all enrollees as provided by this section and further that failure to provide such data timely shall incur a monetary penalty to the vendors.”;

and further amend bills totals according.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Schupp offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 33, Section 11.550, Lines 3-22, by deleting all of said lines from the bill and inserting in lieu thereof

the following:

“For funding extending women's health services using fee-for-service, prepaid health plans, or other alternative service delivery and reimbursement methodology approved by the director of the Department of Social Services, provided that not more than ten percent (10%) flexibility is allowed between this subsection and sections 11.410, 11.435, 11.455, 11.460, 11.465, 11.470, 11.485, 11.490, 11.505, 11.510, 11.550, 11.555, and 11.600

From General Revenue Fund (0101)	\$2,258,921
From Title XIX - Federal (0163)	8,315,212
From Federal Reimbursement Allowance Fund (0142)	167,756
From Pharmacy Reimbursement Allowance Fund (0144)	49,034
Total	\$10,790,923”;

and

Further amend bills totals accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2011** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2011** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schaaf	Schupp
Walsh—8						

Absent—Senators—None

Absent with leave—Senator Sifton—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2012**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief

Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2012, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2012** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Schaefer, **SCS for HCS for HB 2012** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senator Sifton—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 686**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1568**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1855**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 1793**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR SENATE RESOLUTION NO. 1793

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned

Parenthood and any of its affiliates and associates might engage in such alleged activities;

4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and

5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood; and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Mary Kogut of Planned Parenthood of the St. Louis Region and Southwest Missouri (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Ms. Kogut on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Ms. Kogut to provide the records contained in Attachment A to the subpoena within fourteen days after receiving service of the subpoena; and

Whereas, on December 4, 2015, an attorney representing Planned Parenthood of the St. Louis Region and Southwest Missouri (PPSLR) sent a letter to President Pro Tempore Richard objecting to the subpoena and indicating that PPSLR would not be producing responsive documents; and

Whereas, the objections to the subpoena duces tecum contained in the letter to President Pro Tempore Richard by PPSLR on December 4, 2015, have been distributed to the members of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics; and

Whereas, in the judgment of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics, the objections to the subpoena duces tecum are without merit and that such subpoena should be fully complied with; and

Whereas, correspondence between the counsel for the President Pro Tempore and PPSLR dated March 21, 2016, removed any possible ambiguity by clarifying that the subpoena duces tecum did not seek any personally identifiable information from any client; and

Whereas, to this day, PPSLR has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that it intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by PPSLR in the time period denoted in the subpoena duces tecum; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states "Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose."; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that "Each house [of the General Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions..."; and

Whereas, Ms. Kogut and PPSLR have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and section 21.400, RSMo:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby declare that the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate is an insult to this body, and intended as such by Mary Kogut and PPSLR, and constitutes and is in contempt of the power and authority of the Missouri Senate; and

Be It Further Resolved that Ms. Kogut and PPSLR had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from PPSLR would be important and material for the Committee in fulfilling its legislative duties; that it was the duty of Ms. Kogut and PPSLR to have provided the requested documents; and

Be It Further Resolved that Ms. Kogut be summoned to appear at the bar of this body and show cause why she should not be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to issue the necessary process to bring Ms. Kogut to the Senate Chamber within the Missouri State Capitol on April 18, 2016, at 2:00 p.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

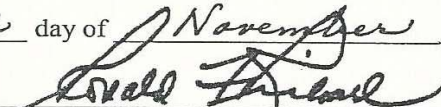
BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE
MISSOURI SENATE
A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
COUNTY OF COLE)

THE STATE OF MISSOURI, TO Mary M. Kogut
 Planned Parenthood of the St. Louis Region and
 Southwest Missouri
 4251 Forest Park Avenue
 St. Louis, MO 63108

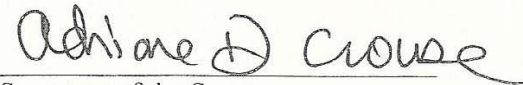
YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to
provide the records set forth in Attachment A by the close of business on the 14th day after
receiving service of this subpoena to the Senate Administrator's Office, Room 324, State Capitol
Building, Jefferson City, Missouri 65101.

WITNESS my signature on this 24th day of November, 2015.



President Pro Tempore of the Missouri Senate

ATTEST:



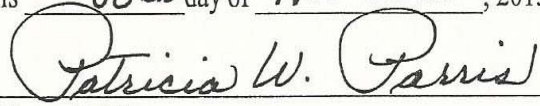
Secretary of the Senate

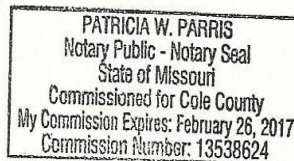
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS CITY ^{JB} County, Missouri,
~~to the person named above~~ ^{* CATNY WILLIAMS} at 4:15 p.m. (time) on this 24TH (day) of
NOVEMBER (month), 2015, at 4251 FOREST PARK AVE.,
ST. LOUIS, MO. 63108 (location).


Designated Server

Subscribed and sworn to before me this 30TH day of November, 2015.


Notary Public



* CATNY WILLIAMS
V.P. OF HUMAN RESOURCES & COMPLIANCE
PLANNED PARENTHOOD OF THE ST. LOUIS REGION
AND SOUTHWEST MISSOURI

Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Planned Parenthood or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Planned Parenthood from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to the sale, reimbursement or any fee for the donation or transfer of any human fetal tissue, including any contracts with entities for the disposal of fetal human tissue and medical waste in general;
2. All documents or written communications relating to the disposal of any human tissue or fetal remains, including any policies and procedures utilized by Planned Parenthood for such disposal;
3. All documents which make any reference to establishing procedures for how and where all human tissue is sent and/or disposed of;
4. All documents or written communications relating to the transfer of human tissue or fetal remains to a pathologist or pathology laboratory, including any contracts with a pathologist or pathology laboratory for the examination and/or disposal of human tissue or fetal remains;
5. All documents to or from or that make any reference to Dr. Mary Gatter;
6. All documents to or from or that make any reference to Dr. Deborah Nucatola;
7. All documents that record an incident where an emergency medical technician and/or an ambulance has been dispatched to a facility operated by Planned Parenthood;
8. All documents on policies for maintaining a safe environment in the facility and segregation and storage of pathological waste;
9. All documents relating to policies of Planned Parenthood on informed consent procedures, including any counseling or discussion provided to clients regarding the transfer or disposal of human fetal body parts or tissue;
10. All documents relating to the procedures used by a facility operated by Planned Parenthood to perform abortions;
11. Any document that encompasses the standard operating procedure or written protocol for chemical, surgical, and/or medication induced abortions;
12. Any consent form that must be signed by a patient prior to any chemical, surgical, and/or medication induced abortion; and
13. Copies of all consent forms a patient must sign prior to being administered any anesthetic drugs.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 1794**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 1794

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned Parenthood and any of its affiliates and associates might engage in such alleged activities;
4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and
5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood; and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Dr. James Miller, Pathology Services, Inc. (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Dr. Miller on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Dr. Miller and Pathology Services, Inc. to designate a knowledgeable person to appear before the Committee on Wednesday, December 2, 2015, to testify before the Committee and to provide the records contained in Attachment A to the subpoena at such time; and

Whereas, on December 1, 2015, Senator Schaefer, as chairman of the Committee, sent a letter to Dr. Miller extending the deadline to appear before the Committee to December 9, 2015, and Senator Schaefer sent another letter to Dr. Miller extending the deadline to appear before the Committee to December 16, 2015; and

Whereas, on December 10, 2015, an attorney representing Dr. Miller and Pathology Services sent by fax and via USPS a document to Senator Richard entitled "Objections to the Subpoena Duces Tecum Issued to Dr. James Miller and Pathology Services Inc."; and

Whereas, the objections to the subpoena duces tecum contained in the letter to President Pro Tempore Richard by Dr. Miller and Pathology Services on December 10, 2015, have been distributed to the members of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics; and

Whereas, in the judgment of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics, the objections to the subpoena duces tecum are without merit and that such subpoena should be fully complied with; and

Whereas, the subpoena duces tecum does not seek any personally identifiable information from any client; and

Whereas, to this day, Dr. Miller has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that he intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by Dr. Miller in the time period denoted in the subpoena duces tecum and the letters from Senator Schaefer to Dr. Miller; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states "Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose."; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that "Each house [of the General

Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions..."; and

Whereas, Dr. Miller and Pathology Services Inc. have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and Section 21.400, RSMo:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby declare that the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate is an insult to this body, and intended as such by Dr. James Miller and Pathology Services Inc., and constitutes and is in contempt of the power and authority of the Missouri Senate; and

Be It Further Resolved that Dr. James Miller and Pathology Services Inc. had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from Dr. Miller and Pathology Services Inc. would be important and material for the Committee in fulfilling its legislative duties; that it was the duty of Dr. James Miller and Pathology Services Inc. to have provided the requested documents; and

Be It Further Resolved that Dr. Miller be summoned to appear at the bar of this body and show cause why he should not be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to issue the necessary process to bring Dr. Miller to the Senate Chamber within the Missouri State Capitol on April 18, 2016, at 2:00 p.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE
MISSOURI SENATE
A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
COUNTY OF COLE)

THE STATE OF MISSOURI, TO Dr. James Miller
 Pathology Services, Inc.
 2916 South Brentwood Blvd.
 St. Louis, MO 63144

YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to designate one or more officers, directors, or other agents who are knowledgeable about the matters referenced in Attachment A to appear in proper person before the Senate Interim Committee on the Sanctity of Life on Wednesday, December 2, 2015, at 1:00 p.m. in Senate Committee Room 2, State Capitol Building, Jefferson City, Missouri 65101, to testify then and there and speak the truth in a certain inquiry now before said Interim Committee on the Sanctity of Life of the Missouri Senate and you are further commanded to bring with you and then and there produce in evidence the records set forth in Attachment A.

WITNESS my signature on this 24th day of November, 2015.


President Pro Tempore of the Missouri Senate

ATTEST:

Adriane D. Crouse
Secretary of the Senate

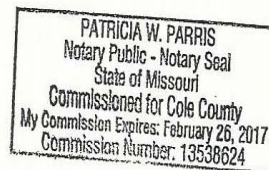
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS County, Missouri,
ANGIE FOWLER
delivering a copy to the person named above at 3:35 p.m. (time) on this 24TH (day) of
NOVEMBER (month), 2015, at 2916 SOUTH BRENTWOOD
BLVD., ST. LOUIS, MO. 63144 (location).

[Signature]
Designated Server

Subscribed and sworn to before me this 24th day of November, 2015.

Patricia W. Parris
Notary Public



Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Pathology Services, Inc., or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Pathology Services, Inc., from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to all procedures for accepting and handling human tissue and fetal remains originating from Planned Parenthood;
2. All documents relating to the procedures for examining and evaluating human tissue and fetal remains;
3. All documents relating to Pathology Services' standard procedures for handling and disposing of human tissue, including waste tracking and certification of disposal;
4. All documents relating to the procedures for handling and disposing of human tissue and fetal remains originating from Planned Parenthood, including waste tracking and certification of disposal, if such procedures differ in any way from Pathology Services' standard procedures for handling and disposing of human tissue;
5. All documents which establish or relate to the creation and contents of pathology reports as required under Section 188.047, RSMo, including all documents relating to the submission of such reports to Planned Parenthood and to the Missouri Department of Health and Senior Services;
6. All documents relating to any contracts with any entity for the transfer and/or disposal of human tissue and fetal remains; and
7. All documents relating to any contracts with Planned Parenthood for the transfer, examination, and/or disposal of human tissue or fetal remains.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 54**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 56**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 59**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 63**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 65**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 67**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 986**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 7, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lisa Bedian Kurtz as a member of the St. Charles County Convention & Sports Facilities Authority, submitted to you on April 1, 2016. Line 3 should be amended to read:

Sports Facilities Authority, for a term ending April 27, 2016, and until her successor is

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above addendum to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1757**, entitled:

An Act to repeal sections 67.1421, 67.1422, and 67.1471, RSMo, and to enact in lieu thereof three new sections relating to community improvement districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2376**, entitled:

An Act to repeal sections 68.057 and 536.031, RSMo, and to enact in lieu thereof six new sections relating to construction regulation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2331**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri senior farmers' market nutrition program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2330**, entitled:

An Act to amend chapters 379 and 387, RSMo, by adding thereto twenty new sections relating to transportation network companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1898**, entitled:

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2689**, entitled:

An Act to amend chapters 393 and 620, RSMo, by adding thereto three new sections relating to the state's energy policies, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1464**, entitled:

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1659**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2441**, entitled:

An Act to repeal section 197.315, RSMo, and to enact in lieu thereof one new section relating to certificates of need, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1941**, entitled:

An Act to repeal section 572.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 572.010 as enacted by Referendum, Proposition A, November 3, 1992, and to enact in lieu thereof two new sections relating to gaming activities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1695**, entitled:

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2146**, entitled:

An Act to amend chapter 475, RSMo, by adding thereto one new section relating to guardianship of minors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2147**, entitled:

An Act to repeal sections 452.370, 452.747, and 454.500, RSMo, and to enact in lieu thereof three new sections relating to filing a responsive pleading in certain family law proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1893, regarding Kay “Casey” Armitage Peck, Seymour, which was adopted.

Senator Sifton offered Senate Resolution No. 1894, regarding Robert Edward “Bob” Hynes, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1895, regarding David Bennett, which was adopted.

Senator Brown offered Senate Resolution No. 1896, regarding Mary Lou Edwards, which was adopted.

Senator Brown offered Senate Resolution No. 1897, regarding Tim McDuffey, Linn Creek, which was adopted.

Senator Richard offered Senate Resolution No. 1898, regarding Alec Peacock, which was adopted.

Senator Sifton offered Senate Resolution No. 1899, regarding Helen Kaul, Saint Louis, which was adopted.

Senator Holsman offered Senate Resolution No. 1900, regarding Mid Coast Modern, Kansas City, which was adopted.

Senator Libla offered Senate Resolution No. 1901, regarding Donna C. Callahan, Poplar Bluff, which was adopted.

Senator Kehoe offered Senate Resolution No. 1902, regarding Marquise Long, which was adopted.

Senator Sifton offered Senate Resolution No. 1903, regarding Amanda Ellen Shipley, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1904, regarding Clifford Raymond “Cliff” Wildeisen, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1905, regarding Emily Roeder, Saint Louis, which was adopted.

Senator Emery offered Senate Resolution No. 1906, regarding Brianna Shuler, Pleasant Hill, which was adopted.

Senator Sater offered Senate Resolution No. 1907, regarding the Fiftieth Wedding Anniversary of Lynn and Marilyn Behrends, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 1908, regarding the Sixtieth Wedding Anniversary of James and Marie Sullivan, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 1909, regarding Emma Lander, Crane, which was adopted.

Senator Kehoe offered Senate Resolution No. 1910, regarding the Moniteau County Agricultural and Mechanical Society Fair and Horse Show, which was adopted.

Senator Schmitt offered Senate Resolution No. 1911, regarding Christine E. Hessel, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1912, regarding the Fortieth Anniversary of the Down Syndrome Association, Saint Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, students from Evangel University, Springfield.

Senator Sater introduced to the Senate, Head Coach Jeremy Mullins, assistant coaches Billy Redus and Allie Lumpkin; and Lexie Vaught, Kylee Moore, Emma Lander, Keren Belin, Shelby Roder, Justeen Mahan, Madison Fulp, Maggie Vaught, Maddie Moreland, Shelby Ellingsworth, Mackenzie Funcannon, Macy Hayes, Katie Robinson, Olivia Doto, Sadie McMenamy, Madison Hicks and Olivia Edwards, Crane High School Girls Basketball team.

Senator Romine introduced to the Senate, the Physician of the Day, Dr. Gregory K. Terpstra, and his wife Wilma, Potosi.

Senator Emery introduced to the Senate, Ashley Brewster, Peculiar.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 11, 2016.

SENATE CALENDAR

FORTY-NINTH DAY—MONDAY, APRIL 11, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1757
HCS for HB 2376
HB 2331-Morris
HCS for HB 2330
HCS for HB 1898
HCS for HB 2689
HCS for HB 1464

HB 1659-Frederick
HCS for HB 2441
HCS for HB 1941
HCS for HB 1695
HB 2146-Beard
HB 2147-Beard

THIRD READING OF SENATE BILLS

1. SB 988-Kraus
2. SCS for SB 973-Wasson
3. SCS for SB 618-Wallingford

4. SB 1025-Kraus (In Fiscal Oversight)
5. SCS for SB 856-Silvey (In Fiscal Oversight)
6. SB 702-Munzlinger

- | | |
|--|---------------------------------|
| 7. SB 681-Cunningham (In Fiscal Oversight) | 10. SCS for SB 921-Riddle |
| 8. SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight) | 11. SS for SCS for SB 986-Brown |
| 9. SCS for SBs 661, 726 & 741-Dixon
(In Fiscal Oversight) | |

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|--|
| 1. SB 1002-Hegeman | 33. SB 1014-Dixon |
| 2. SB 898-Cunningham | 34. SB 812-Keaveny |
| 3. SBs 789 & 595-Wasson, with SCS | 35. SB 775-Schaefer |
| 4. SB 659-Wasson | 36. SB 613-Cunningham, et al, with SCS |
| 5. SB 575-Schaefer, with SCS | 37. SB 792-Richard |
| 6. SB 827-Sifton | 38. SB 868-Wasson |
| 7. SB 638-Riddle and Silvey, with SCS | 39. SJR 35-Kraus, with SCS |
| 8. SB 805-Onder, with SCS | 40. SB 798-Kraus, with SCS |
| 9. SB 894-Munzlinger | 41. SB 920-Schmitt and Kraus |
| 10. SB 985-Wasson | 42. SB 1094-Kehoe, with SCS |
| 11. SB 932-Cunningham | 43. SB 622-Romine, with SCS |
| 12. SB 576-Keaveny | 44. SB 1005-Walsh |
| 13. SB 577-Keaveny | 45. SB 972-Silvey |
| 14. SB 663-Dixon, with SCS | 46. SB 966-Schaaf |
| 15. SB 947-Parson | 47. SB 908-Sater, with SCS |
| 16. SB 858-Romine, with SCS | 48. SB 853-Brown |
| 17. SB 899-Parson | 49. SBs 662 & 587-Dixon, with SCS |
| 18. SB 806-Onder, with SCS | 50. SB 1075-Wallingford |
| 19. SB 904-Pearce, with SCS | 51. SB 883-Riddle |
| 20. SB 998-Romine, with SCS | 52. SB 896-Hegeman |
| 21. SB 873-Pearce | 53. SB 1074-Schmitt, with SCS |
| 22. SB 968-Brown, with SCS | 54. SB 1144-Brown |
| 23. SB 996-Pearce, with SCS | 55. SB 871-Wallingford |
| 24. SBs 857 & 712-Romine, with SCS | 56. SB 1026-Schatz, with SCS |
| 25. SB 941-Dixon | 57. SB 1066-Curls |
| 26. SB 869-Schmitt | 58. SB 1139-Silvey and Holsman |
| 27. SB 658-Wasson | 59. SBs 851 & 694-Brown, with SCS |
| 28. SB 1057-Schaaf, with SCS | 60. SB 1028-Silvey, et al, with SCS |
| 29. SB 951-Wasson | 61. SB 848-Emery, with SCS |
| 30. SJR 23-Sater | 62. SB 719-Emery, with SCS |
| 31. SB 1096-Dixon and Keaveny | 63. SB 995-Riddle |
| 32. SB 1012-Dixon | 64. SB 788-Schatz, with SCS |

- | | |
|---|----------------------------------|
| 65. SB 1131-Sifton | 69. SB 1003-Onder |
| 66. SB 1033-Pearce | 70. SB 1004-Onder |
| 67. SBs 1010, 958 & 878-Curls, with SCS | 71. SB 884-Munzlinger |
| 68. SB 793-Richard | 72. SB 686-Wallingford, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---|----------------------------------|
| 1. HCS for HB 2013 (Schaefer) | 6. HCS for HB 1562 (Onder) |
| 2. HB 1414-Houghton, with SCS
(Munzlinger) | 7. HCS for HB 1877 (Wallingford) |
| 3. HCS for HB 1729, with SCS | 8. HB 1733-Davis |
| 4. HB 1870-Hoskins (Pearce) | 9. HB 1568-Lynch (Brown) |
| 5. HCS for HB 1550, with SCS (Sater) | 10. HB 1855-Allen (Schaaf) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|--------------|--------------|
| SB 624-Libla | SB 783-Onder |
|--------------|--------------|

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 801-Sater, with SCS & SS for SCS
(pending) |
| SB 590-Dixon, with SCS, SS for SCS &
SA 8 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 644-Onder, with SCS | SB 916-Schaefer |
| SB 680-Emery | SB 964-Wallingford, with SCS (pending) |
| SB 706-Dixon | SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending) |
| SB 772-Onder, with SCS | |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|------------------------------------|------------------------------------|
| HB 1452-Hoskins, with SCS (Pearce) | HB 1575-Rowden, with SCA 1 (Onder) |
|------------------------------------|------------------------------------|

HB 1631-Alferman, with SCS, SS for SCS &
SA 1 (pending) (Kraus)
HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)
HJR 53-Dugger (Kraus)

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown

SCR 59-Emery
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 67-Parson
SR 1793-Schaefer, with SCS
SR 1794-Schaefer, with SCS

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-NINTH DAY—MONDAY, APRIL 11, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will give you your rains in their season, and the lands shall yield its produce...” (Leviticus 26:4)

Gracious God, although the drive here was gloomy we are thankful for the rains that replenish the land and nourish the plants and trees as they bring forth their blossoms and beautify our world. We are thankful for Your many gifts to us as we use the talents and abilities You have bestowed upon us. Bless us, O Lord, this day and week as we do what is required of us and seek always to follow Your will for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 7, 2016 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1913, regarding Brianna Michelle Laffoon, Arnold, which was adopted.

Senator Wieland offered Senate Resolution No. 1914, regarding Olivia Marie Sheppard, Arnold, which was adopted.

Senator Wieland offered Senate Resolution No. 1915, regarding Kaitlyn Elizabeth Estopare, Arnold, which was adopted.

Senator Nasheed offered Senate Resolution No. 1916, regarding Vivian Ai-Ling Hulsey, St. Louis, which was adopted.

Senator Riddle offered Senate Resolution No. 1917, regarding Anna Sutherland, Warrenton, which was adopted.

Senator Riddle offered Senate Resolution No. 1918, regarding the Fiftieth Wedding Anniversary of Emmett and Donna Bingham, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 1919, regarding the Mark Twain Chapter of Quail Forever, which was adopted.

Senator Riddle offered Senate Resolution No. 1920, regarding Savannah Grace Bridges, Wright City, which was adopted.

Senator Libla offered Senate Resolution No. 1921, regarding the Fiftieth Wedding Anniversary of Kenny and Shirley Carney, Bloomfield, which was adopted.

Senator Walsh offered Senate Resolution No. 1922, regarding Walter John Hartmann, Saint Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1923, regarding Julius Joseph “Jules” Lehnbeutter, Saint Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1924, regarding Robert Lucian “Bud” Nestor, Saint Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 1925, regarding Maggie Helderle, which was adopted.

Senator Walsh offered Senate Resolution No. 1926, regarding Shaila Jones, which was adopted.

Senator Schaaf offered Senate Resolution No. 1927, regarding Saint Joseph Museums, which was adopted.

Senator Silvey offered Senate Resolution No. 1928, regarding Eagle Scout Logan James Palmer, Kansas City, which was adopted.

Senator Wallingford offered Senate Resolution No. 1929, regarding Callie Elizabeth Englehart, Jackson, which was adopted.

Senator Libla offered Senate Resolution No. 1930, regarding Jeff Rolland, which was adopted.

Senator Parson offered Senate Resolution No. 1931, regarding Jacob Rogers, Mora, which was adopted.

Senator Riddle offered Senate Resolution No. 1932, regarding Alan Carter, Paris, which was adopted.

Senator Riddle offered Senate Resolution No. 1933, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Leo Hendricks, Montgomery City, which was adopted.

Senator Sater offered Senate Resolution No. 1934, regarding Kathryn Lopez, Branson, which was adopted.

Senator Schaaf offered Senate Resolution No. 1935, regarding Jordan Elder, which was adopted.

Senator Keaveny offered Senate Resolution No. 1936, regarding Abigail P. Killian, Columbia, which was adopted.

Senator Onder offered Senate Resolution No. 1937, regarding Casandra Helmig, which was adopted.

Senator Kehoe offered Senate Resolution No. 1938, regarding the 2015-2016 NCAA Division II Champion Lincoln University Women's Track and Field Blue Tigers, which was adopted.

REFERRALS

President Pro Tem Richard referred **HB 1870**; **HB 1568**; and **HB 1855** to the Committee on Governmental Accountability and Fiscal Oversight.

THIRD READING OF SENATE BILLS

SB 988, introduced by Senator Kraus, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to medical helicopters, with an emergency clause.

Was taken up.

On motion of Senator Kraus, **SB 988** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf

Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 973**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to dispensing maintenance medication.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 973** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 618**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 618

An Act to repeal sections 211.033, 211.071, 211.151, 221.044, and 221.240, RSMo, and to enact in lieu thereof seven new sections relating to criminal offenders, with an effective date for certain sections.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS** for **SB 618** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 702, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with existing penalty provisions.

Was taken up.

On motion of Senator Munzlinger, **SB 702** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 921**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 921

An Act to repeal sections 43.545, 455.543, and 455.545, RSMo, and to enact in lieu thereof four new sections relating to domestic violence.

Was taken up by Senator Riddle.

On motion of Senator Riddle, **SCS** for **SB 921** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 986**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Was taken up.

On motion of Senator Brown, **SS** for **SCS** for **SB 986** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

President Kinder assumed the Chair.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 624, introduced by Senator Libla, entitled:

An Act to repeal section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 570.135 as enacted by senate bill no. 491, ninety-seventh general assembly, and to enact in lieu thereof three new sections relating to stealing, with penalty provisions.

Was called from the Informal Calendar and taken up.

On motion of Senator Libla, **SB 624** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey

Wallingford

Walsh

Wasson

Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SB 1002** be taken up for perfection, which motion prevailed.

Senator Onder assumed the Chair.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 1002, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to auditing special purpose taxing districts.”; and

Further amend said bill, page 2, section 67.1471, line 22, by inserting after all of said line the following:

“233.600. The state auditor shall have the authority to audit any special road district created under this chapter in the same manner as the auditor may audit any agency of the state.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman raised the point of order that **SA 1** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Pearce moved that the above amendment be adopted, which motion failed.

On motion of Senator Hegeman, **SB 1002** was declared perfected and ordered printed.

SB 898 was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 789** and **SB 595**, with **SCS** were placed on the Informal Calendar.

Senator Wasson moved that **SB 659** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 659**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 659

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

Senator Wasson moved that the **SS** for **SB 659** be adopted.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 659, Page 1, In the Title, Line 3, of the title, by striking “autocycles” and inserting in lieu thereof the following: “certain modes of transportation”; and

Further amend said bill and page, Section 304.005, Line 19 of said page, by inserting after all of said line the following:

“304.820. 1. Except as otherwise provided in this section, no person [twenty-one years of age or younger] operating a moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message.

2. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a hand-held mobile telephone.

3. Except as otherwise provided in this section, no person shall operate a commercial motor vehicle while using a wireless communications device to send, read, or write a text message or electronic message.

4. The provisions of subsection 1 through subsection 3 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:

(a) Report illegal activity;

(b) Summon medical or other emergency help;

(c) Prevent injury to a person or property; or

(d) Relay information between a transit or for-hire operator and that operator’s dispatcher, in which the device is permanently affixed to the vehicle.

5. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a noncommercial motor vehicle upon the highways of this state.

6. As used in this section, “electronic message” means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication devices. “Electronic message” includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

7. As used in this section, “hand-held electronic wireless communications device” includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded

into the architecture and design of the motor vehicle.

8. As used in this section, “making or taking part in a telephone call” means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.

9. As used in this section, “send, read, or write a text message or electronic message” means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.

10. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302.

11. The state preempts the field of regulating the use of hand-held electronic wireless communications devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices by the operator of a motor vehicle.

12. The provisions of this section shall not apply to:

(1) The operator of a vehicle that is lawfully parked or stopped;

(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;

(3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;

(4) The use of voice-operated technology;

(5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Kraus raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Wasson moved that **SS** for **SB 659** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 659** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 575**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 575**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 575

An Act to amend chapter 92, RSMo, by adding thereto two new sections relating to earnings taxes in

certain cities.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 575** be adopted.

Senator Schaefer offered **SS** for **SCS** for **SB 575**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 575

An Act to amend chapter 92, RSMo, by adding thereto two new sections relating to earnings taxes in certain cities.

Senator Schaefer moved that **SS** for **SCS** for **SB 575** be adopted.

Citing the provisions of Senate Rule 79, Senator Schaefer took exception to Senator Nasheed saying “why are you carrying this bill for Rex Sinquefield, ‘a billionaire’ ” in debate.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 575, Page 1, Section 92.114, Line 7, by inserting immediately after “92.200” the following: “**and has elected to no longer continue imposing or levying an earnings tax under section 92.115**”.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Schaefer, **SB 575**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 659** and **SB 1002**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Richard assumed the Chair.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2014**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Kraus, **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1466**, entitled:

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof two new sections relating to the division of professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2332**, entitled:

An Act to repeal sections 272.030, 272.230, 327.272, 475.125, 476.083, 477.650, 562.014, 565.030, 566.210, 566.211, 566.212, 566.213, 578.007, 578.022, 579.015, and 595.226, RSMo, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, sections 557.021, 566.209, 570.030, 570.135, 574.010, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof thirty-one new sections relating to judicial proceedings, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2561**, entitled:

An Act to repeal sections 595.030 and 595.209, RSMo, and to enact in lieu thereof three new sections relating to victims of crimes, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1715**, entitled:

An Act to repeal section 192.2400, RSMo, and to enact in lieu thereof one new section relating to

bullying of elderly persons.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2202**, entitled:

An Act to repeal section 595.226, RSMo, and to enact in lieu thereof three new sections relating to the records of victims of sexual offenses, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2381**, entitled:

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to mine property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2102**, entitled:

An Act to repeal sections 190.103 and 190.335, RSMo, and to enact in lieu thereof two new sections relating to oversight of emergency services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2135**, entitled:

An Act to repeal sections 190.102, 190.103, 190.165, 321.130, and 321.210, RSMo, and to enact in lieu thereof eight new sections relating to regional emergency medical services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1804**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to state energy plans.
In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2038**, entitled:

An Act to repeal sections 195.010 and 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and sections 195.010 and 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1428**, entitled:

An Act to repeal sections 209.150, 209.200, and 209.202, RSMo, and to enact in lieu thereof three new sections relating to service dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2150**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to unclaimed life insurance benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1962**, entitled:

An Act to repeal sections 306.030, 306.100, and 306.125, RSMo, and to enact in lieu thereof three new sections relating to watercraft, with penalty provisions and an emergency clause for certain sections.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1943**, entitled:

An Act to repeal sections 160.011, 160.041, 160.405, 160.417, 160.518, 162.720, 163.011, 163.018, 163.021, 163.031, 163.073, 171.029, 171.031, and 171.033, RSMo, and to enact in lieu thereof fifteen new sections relating to elementary and secondary education, with a delayed effective date for certain sections and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2445**, entitled:

An Act to repeal section 311.735, RSMo, and to enact in lieu thereof one new section relating to the division of alcohol and tobacco control fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1951**, entitled:

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to amateur service communications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1757**—Ways and Means.

HCS for **HB 2376**—Commerce, Consumer Protection, Energy and the Environment.

HB 2331—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 2330**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1898**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 2689**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1464**—Transportation, Infrastructure and Public Safety.

RE-REFERRALS

President Pro Tem Richard re-referred **HB 1930** to the Committee on Seniors, Families and Children.

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, Dustin Thomas, Wade Horstman, Lori Hoelscher, Lonna Trammell, Chip Webb, Kyle Allinson, Anthony Atleins, Craig Moeller and Tim Pirtle.

On behalf of Senator Pearce, the President introduced to the Senate, Director General Jerry Chang, and Director Forster Lee, Taipei Economic and Cultural Office, Denver, Colorado; and Tony Huang, Senior Advisor, Taiwanese Community, St. Louis.

Senator Romine introduced to the Senate, Virginia Blaine, Farmington; and Robin Winter, Park Hills.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTIETH DAY—TUESDAY, APRIL 12, 2016

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HB 1659-Frederick	HCS for HB 2381
HCS for HB 2441	HB 2102-Justus
HCS for HB 1941	HCS for HB 2135
HCS for HB 1695	HCS for HB 1804
HB 2146-Beard	HCS for HB 2038
HB 2147-Beard	HCS for HB 1428
HB 1466-Burlison	HCS for HB 2150
HCS for HB 2332	HB 1962-Conway
HCS for HB 2561	HCS for HB 1943
HB 1715-Wilson	HCS for HB 2445
HCS for HB 2202	HB 1951-Spencer

THIRD READING OF SENATE BILLS

SB 1025-Kraus (In Fiscal Oversight)	SCS for SBs 661, 726 & 741-Dixon
SCS for SB 856-Silvey (In Fiscal Oversight)	(In Fiscal Oversight)
SB 681-Cunningham (In Fiscal Oversight)	SS for SB 659-Wasson
SCS for SBs 588, 603 & 942-Dixon and	SB 1002-Hegeman
Curls (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| 1. SB 827-Sifton | 35. SB 798-Kraus, with SCS |
| 2. SB 638-Riddle and Silvey, with SCS | 36. SB 920-Schmitt and Kraus |
| 3. SB 805-Onder, with SCS | 37. SB 1094-Kehoe, with SCS |
| 4. SB 894-Munzlinger | 38. SB 622-Romine, with SCS |
| 5. SB 985-Wasson | 39. SB 1005-Walsh |
| 6. SB 932-Cunningham | 40. SB 972-Silvey |
| 7. SB 576-Keaveny | 41. SB 966-Schaaf |
| 8. SB 577-Keaveny | 42. SB 908-Sater, with SCS |
| 9. SB 663-Dixon, with SCS | 43. SB 853-Brown |
| 10. SB 947-Parson | 44. SBs 662 & 587-Dixon, with SCS |
| 11. SB 858-Romine, with SCS | 45. SB 1075-Wallingford |
| 12. SB 899-Parson | 46. SB 883-Riddle |
| 13. SB 806-Onder, with SCS | 47. SB 896-Hegeman |
| 14. SB 904-Pearce, with SCS | 48. SB 1074-Schmitt, with SCS |
| 15. SB 998-Romine, with SCS | 49. SB 1144-Brown |
| 16. SB 873-Pearce | 50. SB 871-Wallingford |
| 17. SB 968-Brown, with SCS | 51. SB 1026-Schatz, with SCS |
| 18. SB 996-Pearce, with SCS | 52. SB 1066-Curls |
| 19. SBs 857 & 712-Romine, with SCS | 53. SB 1139-Silvey and Holsman |
| 20. SB 941-Dixon | 54. SBs 851 & 694-Brown, with SCS |
| 21. SB 869-Schmitt | 55. SB 1028-Silvey, et al, with SCS |
| 22. SB 658-Wasson | 56. SB 848-Emery, with SCS |
| 23. SB 1057-Schaaf, with SCS | 57. SB 719-Emery, with SCS |
| 24. SB 951-Wasson | 58. SB 995-Riddle |
| 25. SJR 23-Sater | 59. SB 788-Schatz, with SCS |
| 26. SB 1096-Dixon and Keaveny | 60. SB 1131-Sifton |
| 27. SB 1012-Dixon | 61. SB 1033-Pearce |
| 28. SB 1014-Dixon | 62. SBs 1010, 958 & 878-Curls, with SCS |
| 29. SB 812-Keaveny | 63. SB 793-Richard |
| 30. SB 775-Schaefer | 64. SB 1003-Onder |
| 31. SB 613-Cunningham, et al, with SCS | 65. SB 1004-Onder |
| 32. SB 792-Richard | 66. SB 884-Munzlinger |
| 33. SB 868-Wasson | 67. SB 686-Wallingford, with SCS |
| 34. SJR 35-Kraus, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| 1. HCS for HB 2013 (Schaefer) | 3. HCS for HB 1729, with SCS |
| 2. HB 1414-Houghton, with SCS
(Munzlinger) | 4. HB 1870-Hoskins (Pearce) (In Fiscal
Oversight) |

- | | |
|--|--|
| 5. HCS for HB 1550, with SCS (Sater) | 10. HB 1855-Allen (Schaaf) (In Fiscal Oversight) |
| 6. HCS for HB 1562 (Onder) | |
| 7. HCS for HB 1877 (Wallingford) | 11. HCS for HB 2014, with SCS (Schaefer) |
| 8. HB 1733-Davis | |
| 9. HB 1568-Lynch (Brown) (In Fiscal Oversight) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending) | SBs 789 & 595-Wasson, with SCS |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 801-Sater, with SCS & SS for SCS (pending) |
| SB 590-Dixon, with SCS, SS for SCS & SA 8 (pending) | SB 802-Sater |
| SB 612-Cunningham | SB 816-Wieland, et al |
| SB 619-Wallingford | SB 825-Munzlinger, with SA 1 (pending) |
| SB 644-Onder, with SCS | SB 898-Cunningham |
| SB 680-Emery | SB 916-Schaefer |
| SB 706-Dixon | SB 964-Wallingford, with SCS (pending) |
| SB 772-Onder, with SCS | SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending) |
| SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| HB 1452-Hoskins, with SCS (Pearce) | HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder) |
| HB 1575-Rowden, with SCA 1 (Onder) | |
| HB 1631-Alferman, with SCS, SS for SCS & SA 1 (pending) (Kraus) | HB 2226-Barnes (Silvey) |
| | HJR 53-Dugger (Kraus) |

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

- | | |
|---|---|
| HB 1979-Rowden, with SS for SCS, as amended (Onder) | HB 2203-Barnes, with SS for SCS, as amended (Kehoe) |
|---|---|

RESOLUTIONS

Reported from Committee

SCR 42-Curls	SCR 59-Emery
SCR 45-Dixon	SCR 61-Parson
SCR 50-Nasheed	SCR 63-Curls and Munzlinger
SCRs 53 & 44-Schaefer, with SCS	SCR 65-Schaefer
SCR 54-Walsh	SCR 67-Parson
SCR 55-Holsman	SR 1793-Schaefer, with SCS
SCR 56-Brown	SR 1794-Schaefer, with SCS

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer) (Section 2.030/Appropriation 9235)	CCS for SCS for HCS for HB 10 (Schaefer) (Section 10.710/Appropriation 9859)
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Journal of the Senate

SECOND REGULAR SESSION

FIFTIETH DAY—TUESDAY, APRIL 12, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Grant that I may not pray alone with the mouth; help me that I may pray from the depths of my heart.” (Martin Luther)

Mysterious and yet intimate Lord, we know we are to seek You in prayer that is more than words and thoughts but often the groans of the soul deep within us. There in the essential light that illuminates our darkness we seek to find You and know that which is often incomprehensible. Let us fully come to know You, that we may come to truly know ourselves and offer that to You to use and be made complete through Your guidance and spirit. So let our hearts be open to You and may Your love bring forth freshness and purity in our actions and efforts this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Onder announced photographers from the MissouriNet and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1939, regarding Dave Sinclair Ford, St. Louis, which was adopted.

Senator Pearce offered Senate Resolution No. 1940, regarding Malina Colburn, which was adopted.

Senator Dixon offered Senate Resolution No. 1941, regarding Raven Augustine, which was adopted.

Senator Romine assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for HB 2014, with **SCS**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2014, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014**

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2014** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 2014** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Sifton moved that **SB 827** be taken up for perfection, which motion prevailed.

On motion of Senator Sifton, **SB 827** was declared perfected and ordered printed.

Senator Riddle moved that **SB 638**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 638**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 638

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

Was taken up.

Senator Riddle moved that **SCS** for **SB 638** be adopted.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 638, Page 3, Section 170.345, Line 21, by inserting after all of said line the following:

“170.350. A school district may develop a policy that allows student participation in the Constitution Project of the Missouri Supreme Court to be recognized by:

(1) The granting of credit for some portion of, or in collaboration with:

(a) Inclusion in the student's record of good citizenship as required by the A+ tuition reimbursement program under section 160.545; or

(b) The Missouri and United States Constitution course required under section 170.011; or

(c) Any relevant course or instructional unit in American government or a similar subject; or

(2) District or school-level awards including, but not limited to, certificates or assemblies.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by striking the word “civics”; and

Further amend said bill, page 3, section 170.345, line 21 by inserting after all of said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” shall be defined as a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of nineteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction appointed by the speaker of the house of representatives;

(4) A representative from a state teachers association appointed by the president pro tempore of the senate;

(5) A representative from the International Dyslexia Association of Missouri appointed by the speaker of the house of representatives;

(6) A representative from Decoding Dyslexia of Missouri appointed by the president pro tempore of the senate;

(7) A representative from the Missouri Association of Elementary School Principals appointed by the speaker of the house of representatives;

(8) A representative from the Missouri Council of Administrators of Special Education appointed by the president pro tempore of the senate;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist appointed by the speaker of the house of representatives;

(10) A speech-language pathologist with training in an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association to be appointed by the pro tempore of the senate;

(11) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state appointed by the president pro tempore of the senate;

(12) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia appointed by the speaker of the house of representatives;

(13) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council appointed by the president pro tempore of the senate;

(14) One private citizen who has a child that has been diagnosed with dyslexia appointed by the speaker of the house of representatives;

(15) One private citizen who has been diagnosed with dyslexia appointed by the president pro tempore of the senate; and

(16) A pediatrician with knowledge of dyslexia to be appointed by the speaker of the house of representatives.

4. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and general assembly and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Determine valid and reliable diagnostic assessments and protocols that can be used and the appropriate personnel to administer the assessments in order to identify children with dyslexia or the

characteristics of dyslexia as part of an ongoing reading progress monitoring system in schools;

(2) Recommend a research-based instruction and intervention system including a list of approved dyslexia therapy programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support, and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and in-service professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically terminate on August 31, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Riddle offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 638, Page 1, Lines 1-3, by striking all of said lines and inserting in lieu thereof the following: “Amend Senate Committee Substitute for Senate Bill No. 638, Page 3, section 170.345, line 21 by”.

Senator Riddle moved that **SA 1** to **SA 2** be adopted, which motion prevailed.

SA 2, as amended was again taken up.

Senator Sifton moved that **SA 2**, as amended, be adopted, which motion prevailed.

Senator Riddle moved that **SCS** for **SB 638**, as amended, be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **SB 638**, as amended, was declared perfected and ordered printed.

At the request of Senator Onder, **SB 805** was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 894** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 894**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 894

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

Senator Munzlinger moved that **SS** for **SB 894** be adopted.

At the request of Senator Munzlinger, **SB 894**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Richard submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 827**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Onder, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2272**, entitled:

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1427**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to financial accountability of school districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1816**, entitled:

An Act to repeal sections 334.040, 334.104, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, and 335.355, RSMo, and to enact in lieu thereof fifteen new sections relating to health care, with a contingent effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2590**, entitled:

An Act to repeal sections 400.1-101, 400.1-102, 400.1-103, 400.1-105, 400.1-106, 400.1-107, 400.1-108, 400.1-201, 400.1-202, 400.1-203, 400.1-204, 400.1-205, 400.1-206, 400.1-207, 400.1-208, 400.7-102, 400.7-103, 400.7-104, 400.7-105, 400.7-201, 400.7-202, 400.7-203, 400.7-204, 400.7-205, 400.7-206, 400.7-207, 400.7-208, 400.7-209, 400.7-210, 400.7-301, 400.7-302, 400.7-303, 400.7-304, 400.7-305, 400.7-307, 400.7-308, 400.7-309, 400.7-401, 400.7-402, 400.7-403, 400.7-404, 400.7-501, 400.7-502, 400.7-503, 400.7-504, 400.7-505, 400.7-506, 400.7-507, 400.7-508, 400.7-509, 400.7-601, 400.7-602, 400.7-603, and 400.7-604, RSMo, and to enact in lieu thereof sixty-four new sections relating to the uniform commercial code.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1756**, entitled:

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employment taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1718**, entitled:

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to the uniform arbitration act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2002** and requests the Senate to recede from its position and failing

to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2003** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2004** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2005** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2006** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2007** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2008** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2009** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2010**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2011** and requests the Senate to recede from its position and failing

to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2012** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2014** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 2140** and has taken up and passed **SCS** for **HCS** for **HB 2140**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 79** relating to relating to the use of science-based data to assess modern agricultural technologies.

HOUSE CONCURRENT RESOLUTION NO. 79

WHEREAS, a sustainable agricultural system in the United States is critical to the continued production of food, fuel, feed, and fiber to meet both domestic and global demands; and

WHEREAS, the agriculture and food production industries have a long history of success and safety in protecting and further enhancing the food, fuel, feed, and fiber supply of Missouri residents and the world; and

WHEREAS, the treatment, prevention, and control of agricultural pests is critically important to the health and welfare of our residents and the safety of our global food, fuel, feed, and fiber supply; and

WHEREAS, the availability of modern agricultural technologies such as precision farming equipment, crop protection chemistries, genetically engineered or enhanced traits, and agricultural nutrients are critically important tools that allow farmers to expand yields, reduce environmental impacts, improve profitability, and provide a safe, healthy, abundant, and affordable food supply; and

WHEREAS, the agriculture industry is recognized as an important contributor to the economic vitality of Missouri through jobs, capital investment, farm income, value-added sectors, and contributions to the state's tax base; and

WHEREAS, the crop protection industry is among the most studied and regulated of all industries at both the state and federal levels; and

WHEREAS, the fuel industry is vitally important to Missouri, especially the production of biofuels such as ethanol and biodiesel; and

WHEREAS, the continued success of these industries and our nation's position as a world leader in crop protection chemistries, genetically engineered or enhanced traits, and nutrients depends on state and federal regulators utilizing science-based data to assess both product and ingredient safety; and

WHEREAS, sound science, rather than the "precautionary principle", should be the bedrock of our nation's regulatory scheme:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby support the use of science-based data to assess the impacts and the regulation of modern agricultural technologies including, but not limited to, crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby oppose legislative or regulatory actions at the federal level that are not based on sound science

and that may result in unnecessary restrictions on the use of modern agricultural technologies including, but not limited to, crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to make one motion to send **SCS for HCS for HB 2002; SCS for HCS for HB 2003; SCS for HCS for HB 2004; SCS for HCS for HB 2005; SCS for HCS for HB 2006; SCS for HCS for HB 2007; SCS for HCS for HB 2008; SCS for HCS for HB 2009; SCS for HCS for HB 2010, as amended; SCS for HCS for HB 2011; SCS for HCS for HB 2012; and SCS for HCS for HB 2014** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS for HCS for HB 2002; SCS for HCS for HB 2003; SCS for HCS for HB 2004; SCS for HCS for HB 2005; SCS for HCS for HB 2006; SCS for HCS for HB 2007; SCS for HCS for HB 2008; SCS for HCS for HB 2009; SCS for HCS for HB 2010, as amended; SCS for HCS for HB 2011; SCS for HCS for HB 2012; and SCS for HCS for HB 2014** and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2002**: Senators Schaefer, Silvey, Brown, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2003**: Senators Schaefer, Silvey, Brown, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2004**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2005**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2006**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2007**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2008**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2009**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS for HCS for HB 2010, as amended**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2011**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2012**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2014**: Senators Schaefer, Silvey, Brown, Curls and Walsh.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 985** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 985** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 932** be taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 932** was declared perfected and ordered printed.

SB 576 was placed on the Informal Calendar.

SB 577 was placed on the Informal Calendar.

Senator Dixon moved that **SB 663**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 663**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 663

An Act to repeal sections 192.2260, 192.2405, 217.360, 217.670, 217.690, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof thirty-five new sections relating to the sole purpose of restructuring the Missouri criminal code, with penalty provisions, and an effective date.

Was taken up.

Senator Dixon moved that **SCS** for **SB 663** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 663, Page 41, Section 565.225, Line 58, by inserting after all of said line the following:

“569.132. 1. This section shall be known and may be cited as the “Crop Protection Act”.

2. A person commits the offense of prohibited acts involving crops if he or she:

(1) Intentionally causes the loss of any crop;

(2) **Intentionally contaminates, weakens,** damages, vandalizes, or steals any property in or on land on which a crop is located;

(3) Obtains access to a crop by false pretenses for the purpose of performing acts not authorized by the landowner;

(4) Enters or otherwise interferes with a crop with the intent to destroy, alter, duplicate or obtain unauthorized possession of such crop;

(5) Knowingly obtains, by theft or deception, control over a crop for the purpose of depriving the rightful owner of such crop, or for the purpose of destroying such crop; or

(6) Enters or remains on land on which a crop is located with the intent to commit an act prohibited by this section.

3. The offense of prohibited acts involving crops is a class A misdemeanor for each such violation unless:

(1) The loss or damage to the crop is seven hundred fifty dollars or more, in which case it is a class E felony;

(2) The loss or damage to the crop is one thousand dollars or more, in which case it is a class D felony;

(3) The loss or damage to the crop is twenty-five thousand dollars or more, in which case it is a class C felony;

(4) The loss or damage to the crop is seventy-five thousand dollars or more, in which case it is a class B felony.

4. Any person who has been damaged by a violation of this section shall have a civil cause of action under section 537.353.

5. Nothing in this section shall preclude any owner or operator injured in his or her business or on his or her property by a violation of this section from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates this section. The owner or operator of the business may petition the court to permanently enjoin such persons from violating this section, and the court shall provide such relief.

6. The director of the department of agriculture shall have the authority to investigate any alleged

violation of this section, along with any other law enforcement agency, and may take any action within the director's authority necessary for the enforcement of this section. The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required for the investigation.

7. The director may promulgate rules and regulations necessary for the enforcement of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2017, shall be invalid and void.”; and

Further amend said bill, Page 60, Section 578.040, Line 28, by inserting after all of said line the following:

“578.416. No person shall:

- (1) Intentionally cause the loss of any crop;
- (2) **Intentionally contaminate, weaken**, damage, vandalize, or steal any property in or on a crop;
- (3) Obtain access to a crop by false pretenses for the purpose of performing acts not authorized by the landowner;
- (4) Enter or otherwise interfere with a crop with the intent to destroy, alter, duplicate or obtain unauthorized possession of such crop;
- (5) Knowingly obtain, by theft or deception, control over a crop for the purpose of depriving the rightful owner of such crop, or for the purpose of destroying such crop;
- (6) Enter or remain on land on which a crop is located with the intent to commit an act prohibited by this section.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 663**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 947** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 947** was declared perfected and ordered printed.

Senator Romine moved that **SB 858**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 858**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 858

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the submission of a state plan to the Environmental Protection Agency, with an emergency clause.

Was taken up.

Senator Romine moved that **SCS** for **SB 858** be adopted.

Senator Romine offered **SS** for **SCS** for **SB 858**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 858

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to the submission of a state plan to the Environmental Protection Agency, with an emergency clause.

Senator Romine moved that **SS** for **SCS** for **SB 858** be adopted.

President Pro Tem Richard assumed the Chair.

At the request of Senator Romine, **SB 858**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 899** be taken up for perfection, which motion prevailed.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 899, Page 1, Section 227.434, Line 5, by inserting after all of said line the following:

“227.445. The portion of State Highway 32 from Stockton Dam Road continuing west to State Highway 39/County Road 1401 within the city limits of Stockton in Cedar County shall be designated as the “Deputy Sheriff Matthew S. Chism Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with costs for such designation to be paid by private donation.”; and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 899, Page 1, In the Title, Line 3, by striking the words “a highway” and inserting in lieu thereof the following: “certain memorial transportation infrastructure”; and

Further amend said bill and page, section 227.434, line 5 by inserting after all of said line the following:

“227.444. The bridge on U.S. Highway 169 crossing over the Missouri River from Jackson County to Clay County shall be designated the “John Jordan “Buck” O’Neil Memorial Bridge”. The department of transportation shall erect and maintain appropriate signs designating the bridge, with the costs for such designation to be paid for by private donation.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 899, Page 1, Section A, Line 2, by inserting after all of said line the following:

“227.432. The portion of Interstate 470 at the interchange with Woods Chapel Road continuing to Lakewood Boulevard in Jackson County shall be designated as the “Judge Vincent E. Baker Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Parson, **SB 899**, as amended, was declared perfected and ordered printed.

At the request of Senator Onder, **SB 806**, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 904**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 904**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 904

An Act to repeal sections 162.720 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

Was taken up.

Senator Pearce moved that **SCS** for **SB 904** be adopted.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 904, Page 4, Section 163.031, Line 95, by inserting after the word “more” the following: **“or a decrease in the number of students who have an IEP of twenty percent or more”**; and further amend line 97 by inserting after the word “program” the following: **“or who have an IEP”**; and further amend line 98 by inserting after the word “program” the following: **“or who have an IEP”**.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 904, Page 5, Section 163.031, Line 111, by inserting after all of said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” shall be defined as a disorder that

is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of nineteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction appointed by the speaker of the house of representatives;

(4) A representative from a state teachers association appointed by the president pro tempore of the senate;

(5) A representative from the International Dyslexia Association of Missouri appointed by the speaker of the house of representatives;

(6) A representative from Decoding Dyslexia of Missouri appointed by the president pro tempore of the senate;

(7) A representative from the Missouri Association of Elementary School Principals appointed by the speaker of the house of representatives;

(8) A representative from the Missouri Council of Administrators of Special Education appointed by the president pro tempore of the senate;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist appointed by the speaker of the house of representatives;

(10) A speech-language pathologist with training in an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association to be appointed by the pro tempore of the senate;

(11) A certified academic language therapist recommended by the Academic Language Therapists

Association who is a resident of this state appointed by the president pro tempore of the senate;

(12) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia appointed by the speaker of the house of representatives;

(13) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council appointed by the president pro tempore of the senate;

(14) One private citizen who has a child that has been diagnosed with dyslexia appointed by the speaker of the house of representatives;

(15) One private citizen who has been diagnosed with dyslexia appointed by the president pro tempore of the senate; and

(16) A pediatrician with knowledge of dyslexia to be appointed by the speaker of the house of representatives.

4. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and general assembly and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Determine valid and reliable diagnostic assessments and protocols that can be used and the appropriate personnel to administer the assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system in schools;

(2) Recommend a research-based instruction and intervention system including a list of approved dyslexia therapy programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support, and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and in-service professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically terminate on August 31, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 904, Page 5, Section 163.031, Line 111, by inserting after all of said line the following:

“170.047. 1. Beginning in the 2017-2018 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including plans for how the district will provide for the training and education of its district employees.

2. Each district’s policy shall include, but not be limited to the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;**
- (2) Strategies and protocols for helping students at possible risk of suicide; and**
- (3) Protocols for responding to a suicide death.**

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 904, Page 1, Section 162.720, Line 13, by inserting immediately after said line the following:

“162.1115. 1. Notwithstanding any provision of law to the contrary, no district shall be penalized for any reason under the Missouri school improvement program if students who graduate from the district complete career and technical education programs approved by the department of elementary and secondary education but are not placed in occupations directly related to their training within six months of graduating.

2. The department of elementary and secondary education shall revise its scoring guide under the Missouri school improvement program to provide additional points to districts that create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:

- (1) Enroll in a program of career and technical education while in high school;
- (2) Participate and complete an internship or apprenticeship during their final year of high school; and
- (3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.

3. Each school district shall be authorized to create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:

- (1) Enroll in a program of career and technical education while in high school;
- (2) Participate and complete an internship or apprenticeship during their final year of high school; and
- (3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.

4. In establishing career and technical education offerings, each school district may rely on technical coursework and skills assessments developed for industry-recognized certificates and credentials.

5. The department of elementary and secondary education shall permit student scores, that are from a nationally recognized examination that demonstrates achievement of workplace employability skills, to count towards credit for college and career readiness standards on the Missouri school improvement program or any subsequent school accreditation or improvement program.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **SB 904**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 904**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 998**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 998**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 998

An Act to repeal sections 161.094 and 161.095, RSMo, and to enact in lieu thereof two new sections relating to high school equivalency degree testing.

Was taken up.

Senator Romine moved that **SCS** for **SB 998** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 998**, was declared perfected and ordered printed.

Senator Pearce moved that **SB 873** be taken up for perfection, which motion prevailed.

On motion of Senator Pearce, **SB 873** was declared perfected and ordered printed.

Senator Brown moved that **SB 968**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 968**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 968

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to tuition rates for members of the military.

Was taken up.

Senator Brown moved that **SCS** for **SB 968** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 968, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“173.900. 1. This act shall be known and may be cited as the “Missouri Returning Heroes’ Education Act”.

2. For the purpose of this section, the term “combat veteran” shall mean a person who served in armed combat in the military after September 11, 2001, and to whom the following criteria shall apply:

(1) The veteran was a Missouri resident when first entering the military; and

(2) The veteran was discharged from military service under honorable conditions.

3. All public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the amount of tuition such institutions charge to combat veterans to fifty dollars per credit hour, as long as the veteran achieves and maintains a cumulative grade point average of at least two and one-half on a four-point scale, or its equivalent. The tuition limitation shall only be applicable if the combat veteran is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. The period during which a combat veteran is eligible for a tuition limitation under this section shall expire at the end of the ten-year period beginning on the date of such veteran's last discharge from service.

4. The coordinating board for higher education shall ensure that all applicable institutions of higher education in this state comply with the provisions of this section and may promulgate rules for the efficient implementation of this section.

5. If a combat veteran is eligible to receive financial assistance under any other federal or state student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the veteran. The tuition limitation under this section shall be provided [after] **before** other federal and state aid for which the veteran is eligible has been applied[, and no combat veteran shall receive more than the actual cost of attendance when the limitation is combined with other aid made available to such veteran].

6. Each institution may report to the board the amount of tuition waived in the previous fiscal year under the provisions of this act. This information may be included in each institution's request for appropriations to the board for the following year. The board may include this information in its appropriations recommendations to the governor and the general assembly. The general assembly may reimburse institutions for the cost of the waiver for the previous year as part of the operating budget. Nothing in this subsection shall be construed to deny a combat veteran a tuition limitation if the general assembly does not appropriate money for reimbursement to an institution.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 968, Page 1, Section A, Line 2, by inserting after all of said line the following:

“173.234. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) “Board”, the coordinating board for higher education;

(2) “Books”, any books required for any course for which tuition was paid by a grant awarded under this section;

(3) “Eligible student”, the natural, adopted, or stepchild of a qualifying military member, who is less than twenty-five years of age and who was a dependent of a qualifying military member at the time of death or injury **or within five years subsequent to the injury**, or the spouse of a qualifying military member which was the spouse of a veteran at the time of death or injury **or within five years subsequent to the injury**;

(4) “Grant”, the veteran’s survivors grant as established in this section;

(5) “Institution of postsecondary education”, any approved Missouri public institution of postsecondary education, as defined in subdivision (3) of section 173.1102;

(6) “Qualifying military member”, any member of the military of the United States, whether active duty, reserve, or National Guard, who served in the military after September 11, 2001, during time of war and for whom the following criteria apply:

(a) A veteran was a Missouri resident when first entering the military service or at the time of death or injury;

(b) A veteran died or was injured as a result of combat action or a veteran’s death or injury was certified by the Department of Veterans’ Affairs medical authority to be attributable to an illness or accident that occurred while serving in combat, or became eighty percent disabled as a result of injuries or accidents sustained in combat action after September 11, 2001; and

(c) “Combat veteran”, a Missouri resident who is discharged for active duty service having served since September 11, 2001, and received a DD214 in a geographic area entitled to receive combat pay tax exclusion exemption, hazardous duty pay, or imminent danger pay, or hostile fire pay;

(7) “Survivor”, an eligible student of a qualifying military member;

(8) “Tuition”, any tuition or incidental fee, or both, charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state. The tuition grant shall not exceed the amount of tuition charged a Missouri resident at the University of Missouri-Columbia for attendance.

2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall award annually up to twenty-five grants to survivors of qualifying military members to attend institutions of postsecondary education in this state, which shall continue to be awarded annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade point average of at least two and one-half on a four-point scale, or its equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board may petition the general assembly to expand the quota. If the quota is not expanded, then the eligibility of survivors on the waiting list shall be extended.

3. A survivor may receive a grant under this section only so long as the survivor is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a survivor receive a grant beyond the completion of the first baccalaureate degree, regardless of age.

4. The coordinating board for higher education shall:

(1) Promulgate all necessary rules and regulations for the implementation of this section; and

(2) Provide the forms and determine the procedures necessary for a survivor to apply for and receive

a grant under this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

6. In order to be eligible to receive a grant under this section, a survivor shall be certified as eligible by the Missouri veterans' commission.

7. A survivor who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education, and who is selected to receive a grant under this section, shall receive the following:

(1) An amount not to exceed the actual tuition charged at the approved institution of postsecondary education where the survivor is enrolled or accepted for enrollment;

(2) An allowance of up to two thousand dollars per semester for room and board; and

(3) The actual cost of books, up to a maximum of five hundred dollars per semester.

8. A survivor who is a recipient of a grant may transfer from one approved public institution of postsecondary education to another without losing his or her entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time withdraws from the institution of postsecondary education so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, room and board, books, or other charges, the institution shall pay the portion of the refund to which he or she is entitled attributable to the grant for that semester or similar grading period to the board.

9. If a survivor is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible survivor.

10. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

11. The benefits conferred by this section shall be available to any academically eligible student of a qualifying military member. Surviving children who are eligible shall be permitted to apply for full benefits conferred by this section until they reach twenty-five years of age.

12. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall [sunset automatically six years after August 28, 2008] **be reauthorized as of the effective date of this act and shall expire on August 28, 2020**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the

calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, page 2, section 173.1153, line 35 by inserting after all of said line the following:

“Section B. Because of the importance of providing educational assistance to members of the military and their families, the repeal and reenactment of section 173.234 is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, the repeal and reenactment of section 173.234 shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **SB 968**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 968**, as amended, was declared perfected and ordered printed.

Senator Pearce moved that **SB 996**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 996**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 996**

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to distribution of state school aid for charter schools, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SB 996** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 996**, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2002**. Representatives: Flanigan, Fitzpatrick, Bahr, Kendrick, Montecillo.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2003**. Representatives: Flanigan, Rowden, Lichtenegger, May, Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2004**. Representatives: Flanigan, Fitzpatrick, Hough, McCann Beatty, Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2005**. Representatives: Flanigan, Fitzpatrick, Ross, McCann Beatty, Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2006**. Representatives: Flanigan, Fitzpatrick, Redmon, McCann Beatty, Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2007**. Representatives: Flanigan, Fitzpatrick, Hough, McCann Beatty, LaFaver.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2008**. Representatives: Flanigan, Fitzpatrick, Conway (104), McCann Beatty, Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2009**. Representatives: Flanigan, Fitzpatrick, Conway (104), McCann Beatty, LaFaver.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2010**, as amended. Representatives: Flanigan, Fitzpatrick, Haefner, Kirkton, Mims.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2011**. Representatives: Flanigan, Fitzpatrick, Haefner, Kirkton, LaFaver.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2012**. Representatives: Flanigan, Fitzpatrick, Ross, McCann Beatty, Newman.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2014**. Representatives: Flanigan, Fitzpatrick, Allen, McCann Beatty, Montecillo.

Senator Pearce assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mary Dandurand, Democrat, 1222 Pembroke Drive, Warrensburg, Johnson County, Missouri 64093, as a member of the University of Central Missouri Board of Governors, for a term ending December 31, 2021, and until her successor is duly appointed and qualified; vice, Mary Dandurand, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Tyree Davis IV, 530 East Bear Boulevard, Apartment 102A, Springfield, Greene County, Missouri 65807, as the student representative to the Missouri State University Board of Governors, for a term ending December 31, 2017, and until his successor is duly appointed and qualified; vice, Caleb Austin Doyle, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph Kellogg, 1723 Ashland Avenue, Saint Joseph, Buchanan County, Missouri 64506, as the student representative of the Missouri Western State University Board of Governors, for a term ending December 31, 2017, and until his successor is duly appointed and qualified; vice, Lionel K. Attawia, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John A. Martin, Democrat, 200 West 115th Terrace, Kansas City, Jackson County, Missouri 64114, as a member of the State Board of Education, for a term ending July 1, 2022, and until his successor is duly appointed and qualified; vice, John A. Martin, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Richard Sullivan Jr., 1066 Ballantrae Drive, Frontenac, Saint Louis County, Missouri 63131, as Chief Executive Officer of the Transitional School District of Saint Louis City, for a term ending April 12, 2019, and until his successor is duly appointed and qualified, or the transitional district is dissolved or terminated; vice, Richard “Rick” Sullivan, Jr., reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Renee T. Slusher, 4810 Silver Cliff Drive, Columbia, Boone County, Missouri 65203, as a member of the Administrative Hearing Commission, for a term ending April 11, 2022, and until her successor is duly appointed and qualified; vice, Nicole J. Colbert-Botchway, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Marvin O. Teer Jr., Democrat, 720 Street, Apartment 2809, Saint Louis City, Missouri 63101, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Marvin O. Teer Jr., reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William A. Wallace, 10512 Ladue Road, Saint Louis, Saint Louis County, Missouri 63141, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Oliver Glenn Boyer, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 12, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Marvin Wright, Democrat, 5005 Durham Chase, Columbia, Boone County, Missouri 65203, as a member of the University of Central Missouri Board of Governors, for a term ending December 31, 2021, and until his successor is duly appointed and qualified; vice, Marvin Wright, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 998; SB 932; SB 947; SB 985; and SCS for SB 638**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SCS for SB 638** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 1942, regarding Lawrence Robert "Larry" Lund, Sr., St. Charles, which was adopted.

Senator Keaveny offered Senate Resolution No. 1943, regarding Vanessa Rodriguez, which was adopted.

Senator Libla offered Senate Resolution No. 1944, regarding Jonathon Gordon, which was adopted.

Senator Silvey offered Senate Resolution No. 1945, regarding Conor Henry, which was adopted.

Senator Schupp offered Senate Resolution No. 1946, regarding Sydney Tischler, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1947, regarding Emily Clark McDonnell, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 1948, regarding Xueting Ding, which was adopted.

Senator Schupp offered Senate Resolution No. 1949, regarding Megan K. Todd, Ballwin, which was adopted.

Senator Pearce offered Senate Resolution No. 1950, regarding Ashtyn Figg, Higginsville, which was adopted.

Senator Pearce offered Senate Resolution No. 1951, regarding Grace Clementine Venner, Chillicothe, which was adopted.

Senator Keaveny offered Senate Resolution No. 1952, regarding Eagle Scout Thomas Bakersmith, Saint Louis, which was adopted.

Senator Schaefer offered Senate Resolution No. 1953, regarding Eagle Scout Mikhail L. Bell-Oetting, Columbia, which was adopted.

Senator Cunningham offered Senate Resolution No. 1954, regarding Roger Dale Hillhouse, Mountain Grove, which was adopted.

Senator Cunningham offered Senate Resolution No. 1955, regarding the Seventieth Wedding Anniversary of Raymond and Esther Howard, Marshfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 1956, regarding Reese Bucher, Houston, which was adopted.

Senator Kraus offered Senate Resolution No. 1957, regarding Eagle Scout Joseph Franklin T. Lawrason, Independence, which was adopted.

Senator Kraus offered Senate Resolution No. 1958, regarding Eagle Scout Dillon L. Wait, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1959, regarding Eagle Scout Jonathan Daniel Voss, Lee's Summit, which was adopted.

Senator Schmitt offered Senate Resolution No. 1960, regarding Razorback Armory, Des Peres, which was adopted.

Senator Schmitt offered Senate Resolution No. 1961, regarding Lyle Bouck, Sunset Hills, which was adopted.

Senator Schmitt offered Senate Resolution No. 1962, regarding Eagle Scout Joshua Evan Pratt, Friedheim, which was adopted.

Senator Schmitt offered Senate Resolution No. 1963, regarding Claire Renee Gibbs, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1964, regarding Molly M. Lombardo, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1965, regarding Gerald E. Lane, Shawnee, Kansas, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Robert Hawn, St. James.

Senator Parson introduced to the Senate, San and Deb Simaitis, Sedalia; and Stephanie R. Fajarski, Michael K. Hatcher, Dionza Dee Preston, Nicole Kellen, Julie Valerius, Shera Baker, Sharon Elliott, Phil Duncan, T'Shon Young, Joan Keiser, Sally Hatcher, Teresa A. Grant, DeSean Freeny, Dylan Harris, Earl H. Bentley, Jr., Leanne Peace, Heather Porter, Sonia Porter, Norma Sanders, Clifton Sanders, Virginia Beatty, Sarah Dolezal, Ray Gabel, Michala Stoker and Laurie Hines, representing Mid-West Transplant Network, Mid-America Transplant, Missouri Kidney Program, Saving Sight and donor families whose loved ones gave the gift of life in 2015.

Senator Romine introduced to the Senate, Karen Knowles and students from Bismarck R-V School.

Senator Romine introduced to the Senate, Erica Dement and students from Farmington High School.

Senator Romine introduced to the Senate, Jacob Bollinger and students from Central High School, Park Hills.

Senator Pearce introduced to the Senate, two hundred students from eighty-six countries, representing International Education Day.

Senator Riddle introduced to the Senate, Lloyd Miller and students from Paris R-II High School.

Senator Schmitt introduced to the Senate, fourth grade students from St. Peter Elementary School, Kirkwood; and Daniel Sendobry, Gigi Bayer, Abby Russell, and Alpha Bangura were made honorary pages.

On behalf of Senator Kehoe, Senator Curls introduced to the Senate, President Dr. Kevin Rome, Head Coach Victor Thomas, Yanique Ellington, Venicha Baker and members of the Lincoln University NCAA Division II National Champion Women's Indoor Track and Field Team.

Senator Schupp introduced to the Senate, Ellen Alper, Dareen Arnstein, Farilyn Hale, Beth Feldman, Nancy Litz, Susan Witte, Stacy Kress, Lisa Samis, Marilen Pitler, Dianna Fine, Marilyn Ratkin, Linda Dahl, Jen Bernstein, Benita Boxerman, Margie Gold, Sue Weintraub and Annalee Zweig, St. Louis.

Senator Onder introduced to the Senate, Principal Jon Bernhardt, teacher Mike Flandermeyer and twelfth grade students from Lutheran High School, St. Peters.

Senator Onder introduced to the Senate, the Physician of the Day, Charles H. Bowen, M.D., Ph.D., Ballwin.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIRST DAY—WEDNESDAY, APRIL 13, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1659-Frederick	HCS for HB 1804
HCS for HB 2441	HCS for HB 2038
HCS for HB 1941	HCS for HB 1428
HCS for HB 1695	HCS for HB 2150
HB 2146-Beard	HB 1962-Conway
HB 2147-Beard	HCS for HB 1943
HB 1466-Burlison	HCS for HB 2445
HCS for HB 2332	HB 1951-Spencer
HCS for HB 2561	HCS for HB 2272
HB 1715-Wilson	HB 1427-Sommer
HCS for HB 2202	HB 1816-Koenig
HCS for HB 2381	HB 2590-Plocher
HB 2102-Justus	HCS for HB 1756
HCS for HB 2135	HCS for HB 1718

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 1025-Kraus (In Fiscal Oversight) | 7. SB 1002-Hegeman |
| 2. SCS for SB 856-Silvey (In Fiscal Oversight) | 8. SB 827-Sifton |
| 3. SB 681-Cunningham (In Fiscal Oversight) | 9. SCS for SB 998-Romine |
| 4. SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight) | 10. SB 932-Cunningham |
| 5. SCS for SBs 661, 726 & 741-Dixon
(In Fiscal Oversight) | 11. SB 947-Parson |
| 6. SS for SB 659-Wasson | 12. SB 985-Wasson |
| | 13. SCS for SB 638-Riddle and Silvey
(In Fiscal Oversight) |

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|------------------------------|
| 1. SBs 857 & 712-Romine, with SCS | 6. SB 951-Wasson |
| 2. SB 941-Dixon | 7. SJR 23-Sater |
| 3. SB 869-Schmitt | 8. SB 1096-Dixon and Keaveny |
| 4. SB 658-Wasson | 9. SB 1012-Dixon |
| 5. SB 1057-Schaaf, with SCS | 10. SB 1014-Dixon |

- | | |
|--|---|
| 11. SB 812-Keaveny | 31. SB 1144-Brown |
| 12. SB 775-Schaefer | 32. SB 871-Wallingford |
| 13. SB 613-Cunningham, et al, with SCS | 33. SB 1026-Schatz, with SCS |
| 14. SB 792-Richard | 34. SB 1066-Curls |
| 15. SB 868-Wasson | 35. SB 1139-Silvey and Holsman |
| 16. SJR 35-Kraus, with SCS | 36. SBs 851 & 694-Brown, with SCS |
| 17. SB 798-Kraus, with SCS | 37. SB 1028-Silvey, et al, with SCS |
| 18. SB 920-Schmitt and Kraus | 38. SB 848-Emery, with SCS |
| 19. SB 1094-Kehoe, with SCS | 39. SB 719-Emery, with SCS |
| 20. SB 622-Romine, with SCS | 40. SB 995-Riddle |
| 21. SB 1005-Walsh | 41. SB 788-Schatz, with SCS |
| 22. SB 972-Silvey | 42. SB 1131-Sifton |
| 23. SB 966-Schaaf | 43. SB 1033-Pearce |
| 24. SB 908-Sater, with SCS | 44. SBs 1010, 958 & 878-Curls, with SCS |
| 25. SB 853-Brown | 45. SB 793-Richard |
| 26. SBs 662 & 587-Dixon, with SCS | 46. SB 1003-Onder |
| 27. SB 1075-Wallingford | 47. SB 1004-Onder |
| 28. SB 883-Riddle | 48. SB 884-Munzlinger |
| 29. SB 896-Hegeman | 49. SB 686-Wallingford, with SCS |
| 30. SB 1074-Schmitt, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HCS for HB 2013 (Schaefer) | 6. HCS for HB 1562 (Onder) |
| 2. HB 1414-Houghton, with SCS
(Munzlinger) | 7. HCS for HB 1877 (Wallingford) |
| 3. HCS for HB 1729, with SCS | 8. HB 1733-Davis |
| 4. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight) | 9. HB 1568-Lynch (Brown)
(In Fiscal Oversight) |
| 5. HCS for HB 1550, with SCS (Sater) | 10. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 580-Schaaf, with SCS & SA 2 (pending) |
| SB 576-Keaveny | SB 590-Dixon, with SCS, SS for SCS &
SA 8 (pending) |
| SB 577-Keaveny | SB 612-Cunningham |

SB 619-Wallingford
 SB 644-Onder, with SCS
 SB 663-Dixon, with SCS & SA 1 (pending)
 SB 680-Emery
 SB 706-Dixon
 SB 772-Onder, with SCS
 SB 785-Schaefer, with SCS, SS for SCS,
 SA 1, SSA 1 for SA 1, SA 1 to SSA 1
 for SA 1 & point of order (pending)
 SBs 789 & 595-Wasson, with SCS
 SB 801-Sater, with SCS & SS for SCS
 (pending)
 SB 802-Sater

SB 805-Onder, with SCS
 SB 806-Onder, with SCS
 SB 816-Wieland, et al
 SB 825-Munzlinger, with SA 1 (pending)
 SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 894-Munzlinger, with SS (pending)
 SB 898-Cunningham
 SB 916-Schaefer
 SB 964-Wallingford, with SCS (pending)
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 1 (pending) (Kraus)

HB 2166-Alferman, with SCS & SS for SCS
 (pending) (Onder)
 HB 2226-Barnes (Silvey)
 HJR 53-Dugger (Kraus)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS,
 as amended (Onder)
 HCS for HB 2002, with SCS (Schaefer)
 HCS for HB 2003, with SCS (Schaefer)
 HCS for HB 2004, with SCS (Schaefer)
 HCS for HB 2005, with SCS (Schaefer)
 HCS for HB 2006, with SCS (Schaefer)
 HCS for HB 2007, with SCS (Schaefer)
 HCS for HB 2008, with SCS (Schaefer)

HCS for HB 2009, with SCS (Schaefer)
 HCS for HB 2010, with SCS, as amended
 (Schaefer)
 HCS for HB 2011, with SCS (Schaefer)
 HCS for HB 2012, with SCS (Schaefer)
 HCS for HB 2014, with SCS (Schaefer)
 HB 2203-Barnes, with SS for SCS,
 as amended (Kehoe)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
 SCR 45-Dixon
 SCR 50-Nasheed
 SCR 53 & 44-Schaefer, with SCS

SCR 54-Walsh
 SCR 55-Holsman
 SCR 56-Brown
 SCR 59-Emery

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer

SCR 67-Parson
SR 1793-Schaefer, with SCS
SR 1794-Schaefer, with SCS

To be Referred

HCR 79-Korman

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIRST DAY—WEDNESDAY, APRIL 13, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...the longer I live, the more convincing proofs I see of this truth, that God governs the affairs of men.” (Benjamin Franklin)

O God who governs all that exists, we recognize that we can learn from those who have gone before us. We see the faces and names every day, as we walk these halls and in the books we read and the images we see, of those who have gone before us; help us learn the lesson of Your benevolent governing of our world as they did. Help us to see how they learned to work together so our mutual efforts might truly be beneficial as we, like them, seek to follow Your directing spirit. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Missouri net were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Pearce—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 1966, regarding Eagle Scout Adam Hark, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1967, regarding Sarah Earll, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1968, regarding Megan M. Keim, Hannibal, which was adopted.

Senator Walsh offered the following resolution:

SENATE RESOLUTION NO. 1969

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the 21st Century Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the 21st Century Leadership Academy use of the Senate Chamber for the purpose of conducting a mock legislative session from 9:30 am to 12:00 pm on Wednesday, May 25, 2016.

Senator Walsh requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1969** up for adoption, which request was granted.

On motion of Senator Walsh, **SR 1969** was adopted.

Senator Dixon offered the following resolution:

SENATE RESOLUTION NO. 1970

Whereas, Wednesday, April 13, 2016, marks the 273rd anniversary of the birth of Thomas Jefferson, third President of the United States, author of the Declaration of American Independence, and greatest advocate of democracy of all time; and

Whereas, the Senate is desirous of paying tribute to the memory of this great man; and

Whereas, the Senate of Missouri, perhaps more than other lawmakers elsewhere in the nation, should be constantly aware of the vision of Jefferson the man as we conduct the governance of this state on the brow of the bluff overlooking the great river which drains a large part of the territory purchased by Thomas Jefferson in the Louisiana Purchase, the most significant and far-reaching extension of territory ever peaceably made by any government in all of human history; and

Whereas, we cannot acclaim too highly the deeds of this great man, an author, architect, President of the Philosophical Society of the United States for twenty years, scholar, statesman, first Secretary of State, second Vice-President, and third President of the United States, a man thoroughly rounded in nature and accomplishments who so nobly fulfilled all the important responsibilities which came to him in his notable career; and

Whereas, by his authorship of the Declaration of Independence, Thomas Jefferson presented to the world one of the greatest documents of American history and in the whole history of human freedom and gave to the world a whole new concept of existence of government by the consent and for the welfare of the people; and

Whereas, Jefferson began his formal education at the age of nine, studying Latin and Greek at a local private school run by the Reverend William Douglas; and

Whereas, in 1757, at the age of 14, he took up further study of the classical languages as well as literature and mathematics with the Reverend James Maury, whom Jefferson later described as a correct classical scholar; and

Whereas in 1760, having learned all he could from Reverend Maury, Jefferson left home to attend the College of William and Mary in

Williamsburg, Virginia's capital; and

Whereas, Jefferson read law under George Wythe, one of the preeminent lawyers of the American colonies and although there were no law schools at this time, Jefferson won admission to the Virginia bar in 1767 and was one of the most learned lawyers in America; and

Whereas, from 1767 to 1774, Jefferson practiced law in Virginia with great success and it was during this time he met Martha Wayles Skelton and the pair married on January 1, 1772; and

Whereas, Jefferson was one of the earliest and most fervent supporters of the cause of American independence from Great Britain; and

Whereas, he was elected to the Virginia House of Burgesses in 1768 and joined its radical bloc, led by Patrick Henry and George Washington; and

Whereas, in 1774, Jefferson penned his first major political work, "A Summary View of the Rights of British America" which established his reputation as one of the most eloquent advocates of the American cause; and

Whereas, in June of 1776, Congress appointed a select group of five men to draft a Declaration of Independence and that committee chose Jefferson to author the Declaration's first draft; and

Whereas, after authoring the Declaration of Independence, Jefferson returned to Virginia where he served as a member of the Virginia House of Delegates and sought to revise Virginia's laws to fit the ideals he had outlined in the Declaration of Independence while also authoring Virginia's statute for religious freedom; and

Whereas, Jefferson served two years as Governor of Virginia after being elected by the state's legislature; and

Whereas, after the tragic death of his beloved wife Martha, Jefferson returned to Philadelphia to lead the Virginia delegation to the Confederation of Congress and that body appointed him as the U.S. Minister to France; and

Whereas, in 1797, Republicans selected Jefferson as their candidate to succeed George Washington as President, but he finished a close second to John Adams during the election in the electoral college, and because of the rules at that time, he then became Vice-President; and

Whereas, the presidential election of 1800 revealed deep division in the Federalist Party and Republican candidates Thomas Jefferson and Aaron Burr tied for first place in the electoral college and after a contentious debate, the House of Representatives elected Jefferson to serve as the third President of the United States; and

Whereas, Jefferson's first term in office was the first peacetime transfer of power from one party to another and was remarkably successful and productive as he reduced the national debt and reduced government bureaucracy; and

Whereas, the priceless treasure of democracy which was Thomas Jefferson's legacy to the people of our great country, has secured for him a place of honor in the annals of history, now and forevermore:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate of the 98th General Assembly, Second Regular Session, rededicate our lives and pledge anew our devotion to those principles of democracy and human liberty, as envisioned by Thomas Jefferson, apostle of just government by free people.

Senator Kraus offered Senate Resolution No. 1971, regarding Elmer J. "E.J." Hess , which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 996; SCS for SB 968; SCS for SB 904; SB 899; and SB 873**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Schmitt assumed the Chair.

RESOLUTIONS

Senator Schaefer moved that **SR 1793**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for SR 1793 was taken up.

Senator Schaefer offered **SS** for **SCS for SR 1793**:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 1793

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned Parenthood and any of its affiliates and associates might engage in such alleged activities;
4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and
5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood; and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Mary Kogut of Planned Parenthood of the St. Louis Region and Southwest Missouri (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Ms. Kogut on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Ms. Kogut to provide the records contained in Attachment A to the subpoena within fourteen days after receiving service of the subpoena; and

Whereas, on December 4, 2015, an attorney representing Planned Parenthood of the St. Louis Region and Southwest Missouri (PPSLR) sent a letter to President Pro Tempore Richard objecting to the subpoena and indicating that PPSLR would not be producing responsive documents; and

Whereas, the objections to the subpoena duces tecum contained in the letter to President Pro Tempore Richard by PPSLR on December 4, 2015, have been distributed to the members of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics; and

Whereas, in the judgment of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics, the objections to the subpoena duces tecum are without merit and that such subpoena should be fully complied with; and

Whereas, correspondence between the counsel for the President Pro Tempore and PPSLR dated March 21, 2016, removed any possible ambiguity by clarifying that the subpoena duces tecum did not seek any personally identifiable information from any client; and

Whereas, to this day, PPSLR has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that it intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by PPSLR in the time period denoted in the subpoena duces tecum; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states “Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose.”; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that “Each house [of the General Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions...”; and

Whereas, Ms. Kogut and PPSLR appear to have had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from PPSLR would be important and material for the Committee in fulfilling its legislative duties; that absent any lawful excuse it was the duty of Ms. Kogut and PPSLR to have provided the requested documents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby take notice of the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate; and

Be It Further Resolved that Ms. Kogut be summoned to appear at the bar of this body and show cause why she should not be found to have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and section 21.400, RSMo, and be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to issue the necessary process to bring Ms. Kogut to the Senate Chamber within the Missouri State Capitol on April 25, 2016, at 2:00 p.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE

MISSOURI SENATE

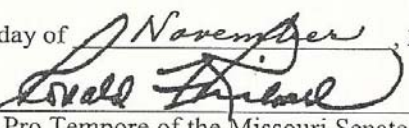
A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
 COUNTY OF COLE)

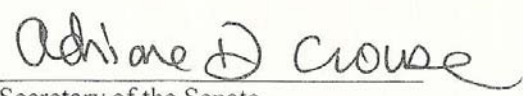
THE STATE OF MISSOURI, TO Mary M. Kogut
 Planned Parenthood of the St. Louis Region and
 Southwest Missouri
 4251 Forest Park Avenue
 St. Louis, MO 63108

YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to
 provide the records set forth in Attachment A by the close of business on the 14th day after
 receiving service of this subpoena to the Senate Administrator's Office, Room 324, State Capitol
 Building, Jefferson City, Missouri 65101.

WITNESS my signature on this 24th day of November, 2015.

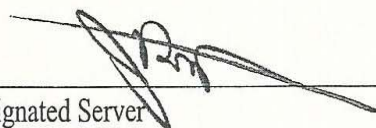

 President Pro Tempore of the Missouri Senate

ATTEST:

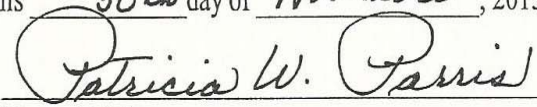

 Secretary of the Senate

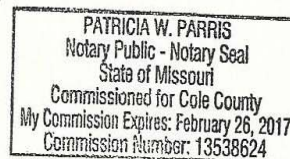
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS CITY ^{JB} County, Missouri,
delivering a copy to ~~the person named above~~ ^{* CATHY WILLIAMS} at 4:15 p.m. (time) on this 24TH (day) of
NOVEMBER (month), 2015, at 4251 FOREST PARK AVE.,
ST. LOUIS, MO. 63108 (location).


Designated Server

Subscribed and sworn to before me this 30th day of November, 2015.


Notary Public



* CATHY WILLIAMS
V.P. OF HUMAN RESOURCES & COMPLIANCE
PLANNED PARENTHOOD OF THE ST. LOUIS REGION
AND SOUTHWEST MISSOURI

Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Planned Parenthood or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Planned Parenthood from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to the sale, reimbursement or any fee for the donation or transfer of any human fetal tissue, including any contracts with entities for the disposal of fetal human tissue and medical waste in general;
2. All documents or written communications relating to the disposal of any human tissue or fetal remains, including any policies and procedures utilized by Planned Parenthood for such disposal;
3. All documents which make any reference to establishing procedures for how and where all human tissue is sent and/or disposed of;
4. All documents or written communications relating to the transfer of human tissue or fetal remains to a pathologist or pathology laboratory, including any contracts with a pathologist or pathology laboratory for the examination and/or disposal of human tissue or fetal remains;
5. All documents to or from or that make any reference to Dr. Mary Gatter;
6. All documents to or from or that make any reference to Dr. Deborah Nucatola;
7. All documents that record an incident where an emergency medical technician and/or an ambulance has been dispatched to a facility operated by Planned Parenthood;
8. All documents on policies for maintaining a safe environment in the facility and segregation and storage of pathological waste;
9. All documents relating to policies of Planned Parenthood on informed consent procedures, including any counseling or discussion provided to clients regarding the transfer or disposal of human fetal body parts or tissue;
10. All documents relating to the procedures used by a facility operated by Planned Parenthood to perform abortions;
11. Any document that encompasses the standard operating procedure or written protocol for chemical, surgical, and/or medication induced abortions;
12. Any consent form that must be signed by a patient prior to any chemical, surgical, and/or medication induced abortion; and
13. Copies of all consent forms a patient must sign prior to being administered any anesthetic drugs.

Senator Schaefer moved that **SS** for **SCS** for **SR 1793** be adopted.

Senator Schaaf assumed the Chair.

At the request of Senator Schaefer, the motion to adopt **SS** for **SCS** for **SR 1793** was withdrawn, which placed the resolution back on the Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt the Conference Committee Report on **SS** for **SCS** for **HB 2203**, as amended, and request the Senate grant the House further conference on **SS** for **SCS** for **HB 2203**, as amended.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 968**; **SCS** for **SB 998**; **SB 873**; and **SCS** for **SB 904** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard referred **HCR 79** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

PRIVILEGED MOTIONS

Senator Kehoe moved that the Senate grant the House further conference on **SS** for **SCS** for **HB 2203**, as amended, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 2203**, as amended: Senators Kehoe, Onder, Wasson, Chappelle-Nadal and Sifton.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

RESOLUTIONS

Senator Schaefer moved that **SR 1793**, with **SCS** and **SS** for **SCS** (pending), be taken up for adoption, which motion prevailed.

SS for **SCS** for **SR 1793** was again taken up.

President Pro Tem Richard assumed the Chair.

At the request of Senator Schaefer, the motion to adopt **SS** for **SCS** for **SR 1793** was withdrawn, which placed the resolution back on the Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 2203**, as amended. Representatives: Barnes, Alferman, Jones, Mitten, McCann Beatty.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 1972, regarding Amanda Kenuam, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 1973, regarding Wendy Brooke Pickett, Potosi, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1974, regarding Daniel Mandell, PhD, Kirksville, which was adopted.

Senator Brown offered Senate Resolution No. 1975, regarding Rick Kyle, Rolla, which was adopted.

Senator Schaefer offered Senate Resolution No. 1976, regarding Max Lewis, Columbia, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, one hundred twenty-five students from Mark Twain Elementary School, Rolla.

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. John Hagen, Glencoe.

Senator Parson introduced to the Senate, Tyler Hudson; Jenesis May, and Marilyn and Lindal Grechus, Sedalia.

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, St. Louis County.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl, and twenty Pediatricians from the University of Missouri, Columbia.

Senator Emery introduced to the Senate, Kaitlyn DeKan, Rowan Putman and Mary Cummings, Belton.

Senator Walsh introduced to the Senate, Mayor Reggie Jones, Dellwood; and Robert Fulstone, St. Louis.

On behalf of Senators Richard, Libla, Parson, Dixon, Pearce, Onder, Walsh, Kehoe, Keaveny and himself, Senator Sater introduced to the Senate, Kathryn Lopez, Alec Peacock, Jonathan Gordon, Jacob Rogers, Raven Augustine, Malina Colburn, Casendra Helmig, Shaila Jones, Marquise Long and Vanessa Rodriguez, Boys and Girls Club of America.

Senator Emery introduced to the Senate, Jordan Gregory, Amber Payne, Hannah Rose and Samantha Shakes, Raymore.

Senator Libla introduced to the Senate, Chris Rushin, Amy Baugus and Robbie Toth, Poplar Bluff.

Senator Sater introduced to the Senate, Glen Cope, Aurora.

Senator Cunningham introduced to the Senate, Head Coach Brett Reed, assistant coach Doug Ward; and Grant Dedmon, Ryan Ward, Tyler Coday, Dune Piper, Deric Jones, Jace Keith, Braden Keith, Hagan

Simmons, Eli Jones, Wyatt Ward, Kobe Meyer, Cody Kelley, Tyler Hennigh, Matthew Marco, Parker Shull and Garret Campbell, Class 2 State Basketball Champion Hartville High School Eagles.

Senator Hegeman introduced to the Senate, Mike Wright, Brad Hogan, Bill Purcell, Tonya Willim, Justin Meier, Dale Shipp, Natalie Lamar and Ron Brohammer, Richmond.

Senator Emery introduced to the Senate, constituents from the 31st Senatorial District.

Senator Riddle introduced to the Senate, Michelle Heiliger, Wright City.

Senator Cunningham introduced to the Senate, Jamie, Connor and Clay McGranahan and Carrie Loveland, Rogersville; and Mallory Newcomb, Marshfield.

Senator Schupp introduced to the Senate, Carter Henry, Matthew Showers, Ken McManus and ninth grade students from Parkway West High School, St. Louis.

Senator Emery introduced to the Senate, former State Senator Delbert Scott.

Senator Schaaf introduced to the Senate, Linda Wilson and her children Susannah and Amy Beth; and Marie Kennedy and her children Anna, Julie and Esther, Kansas City.

Senator Kehoe introduced to the Senate, Mark Kiekhaefer, Jefferson City; and Calvin Swan, Ames, Iowa.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SECOND DAY—THURSDAY, APRIL 14, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1659-Frederick
HCS for HB 2441
HCS for HB 1941
HCS for HB 1695
HB 2146-Beard
HB 2147-Beard
HB 1466-Burlison
HCS for HB 2332
HCS for HB 2561
HB 1715-Wilson
HCS for HB 2202
HCS for HB 2381

HB 2102-Justus
HCS for HB 2135
HCS for HB 1804
HCS for HB 2038
HCS for HB 1428
HCS for HB 2150
HB 1962-Conway
HCS for HB 1943
HCS for HB 2445
HB 1951-Spencer
HCS for HB 2272
HB 1427-Sommer

HB 1816-Koenig
HB 2590-Plocher

HCS for HB 1756
HCS for HB 1718

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 1025-Kraus (In Fiscal Oversight) | 10. SB 932-Cunningham |
| 2. SCS for SB 856-Silvey
(In Fiscal Oversight) | 11. SB 947-Parson |
| 3. SB 681-Cunningham
(In Fiscal Oversight) | 12. SB 985-Wasson |
| 4. SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight) | 13. SCS for SB 638-Riddle and Silvey
(In Fiscal Oversight) |
| 5. SCS for SBs 661, 726 & 741-Dixon
(In Fiscal Oversight) | 14. SCS for SB 996-Pearce |
| 6. SS for SB 659-Wasson | 15. SCS for SB 968-Brown
(In Fiscal Oversight) |
| 7. SB 1002-Hegeman | 16. SCS for SB 904-Pearce
(In Fiscal Oversight) |
| 8. SB 827-Sifton | 17. SB 899-Parson |
| 9. SCS for SB 998-Romine
(In Fiscal Oversight) | 18. SB 873-Pearce (In Fiscal Oversight) |

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| 1. SBs 857 & 712-Romine, with SCS | 23. SB 966-Schaaf |
| 2. SB 941-Dixon | 24. SB 908-Sater, with SCS |
| 3. SB 869-Schmitt | 25. SB 853-Brown |
| 4. SB 658-Wasson | 26. SBs 662 & 587-Dixon, with SCS |
| 5. SB 1057-Schaaf, with SCS | 27. SB 1075-Wallingford |
| 6. SB 951-Wasson | 28. SB 883-Riddle |
| 7. SJR 23-Sater | 29. SB 896-Hegeman |
| 8. SB 1096-Dixon and Keaveny | 30. SB 1074-Schmitt, with SCS |
| 9. SB 1012-Dixon | 31. SB 1144-Brown |
| 10. SB 1014-Dixon | 32. SB 871-Wallingford |
| 11. SB 812-Keaveny | 33. SB 1026-Schatz, with SCS |
| 12. SB 775-Schaefer | 34. SB 1066-Curls |
| 13. SB 613-Cunningham, et al, with SCS | 35. SB 1139-Silvey and Holsman |
| 14. SB 792-Richard | 36. SBs 851 & 694-Brown, with SCS |
| 15. SB 868-Wasson | 37. SB 1028-Silvey, et al, with SCS |
| 16. SJR 35-Kraus, with SCS | 38. SB 848-Emery, with SCS |
| 17. SB 798-Kraus, with SCS | 39. SB 719-Emery, with SCS |
| 18. SB 920-Schmitt and Kraus | 40. SB 995-Riddle |
| 19. SB 1094-Kehoe, with SCS | 41. SB 788-Schatz, with SCS |
| 20. SB 622-Romine, with SCS | 42. SB 1131-Sifton |
| 21. SB 1005-Walsh | 43. SB 1033-Pearce |
| 22. SB 972-Silvey | 44. SBs 1010, 958 & 878-Curls, with SCS |

45. SB 793-Richard
46. SB 1003-Onder
47. SB 1004-Onder

48. SB 884-Munzlinger
49. SB 686-Wallingford, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 2013 (Schaefer)
2. HB 1414-Houghton, with SCS
(Munzlinger)
3. HCS for HB 1729, with SCS (Munzlinger)
4. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight)
5. HCS for HB 1550, with SCS (Sater)

6. HCS for HB 1562 (Onder)
7. HCS for HB 1877 (Wallingford)
8. HB 1733-Davis (Kraus)
9. HB 1568-Lynch (Brown)
(In Fiscal Oversight)
10. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 576-Keaveny
SB 577-Keaveny
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 590-Dixon, with SCS, SS for SCS &
SA 8 (pending)
SB 612-Cunningham
SB 619-Wallingford
SB 644-Onder, with SCS
SB 663-Dixon, with SCS & SA 1 (pending)
SB 680-Emery
SB 706-Dixon
SB 772-Onder, with SCS
SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SBs 789 & 595-Wasson, with SCS
SB 801-Sater, with SCS & SS for SCS
(pending)
SB 802-Sater
SB 805-Onder, with SCS
SB 806-Onder, with SCS
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)
SB 858-Romine, with SCS & SS for SCS
(pending)
SB 894-Munzlinger, with SS (pending)
SB 898-Cunningham
SB 916-Schaefer
SB 964-Wallingford, with SCS (pending)
SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 1631-Alferman, with SCS, SS for SCS &
SA 1 (pending) (Kraus)
HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)
HJR 53-Dugger (Kraus)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS,
as amended (Onder)

HCS for HB 2002, with SCS (Schaefer)
HCS for HB 2003, with SCS (Schaefer)
HCS for HB 2004, with SCS (Schaefer)
HCS for HB 2005, with SCS (Schaefer)
HCS for HB 2006, with SCS (Schaefer)
HCS for HB 2007, with SCS (Schaefer)
HCS for HB 2008, with SCS (Schaefer)

HCS for HB 2009, with SCS (Schaefer)
HCS for HB 2010, with SCS, as amended
(Schaefer)
HCS for HB 2011, with SCS (Schaefer)
HCS for HB 2012, with SCS (Schaefer)
HCS for HB 2014, with SCS (Schaefer)
HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) further conference granted

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 67-Parson
SR 1793-Schaefer, with SCS & SS for SCS
(pending)
SR 1794-Schaefer, with SCS

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SECOND DAY—THURSDAY, APRIL 14, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Don’t let your brain interfere with your heart.” (Albert Einstein)

Lord God, we bring another week to a close with the work we complete today. We pray that we have carefully thought through all the implications of the actions we have taken and the work we’ve undertaken. Help us while driving to debrief our brains so we can let our brains rest and not get in the way of our hearts. May our hearts be free to express the appreciation we have for our loved ones who make it possible for us to be here and for their understanding of how our thoughts and actions often are centered here rather than at home. And we ask that our hearts speak to their hearts so they may know the love we have for them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 1977, regarding Narvel Felts, which was adopted.

Senator Onder offered Senate Resolution No. 1978, regarding Susan Sommer, Saint Peters, which was adopted.

Senator Schaefer offered Senate Resolution No. 1979, regarding Eagle Scout Brendan Michael Fish, Columbia, which was adopted.

Senator Richard offered Senate Resolution No. 1980, regarding the Eightieth Birthday of Betty Jay, which was adopted.

Senator Schupp offered Senate Resolution No. 1981, regarding Donald Danforth Plant Science Center, which was adopted.

Senator Emery offered Senate Resolution No. 1982, regarding Dr. James Clark, Bates City, which was adopted.

Senator Curls offered Senate Resolution No. 1983, regarding the death of Gloria “Dean” Hazley, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 1984, regarding the Missouri Association of Parliamentarians, which was adopted.

Senator Schmitt assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 1025**; **SCS** for **SB 856**; **SB 681**; **SCS** for **SBs 661, 726 and 741**; and **SCS** for **SB 638**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Onder assumed the Chair.

RESOLUTIONS

Senator Schaefer moved that **SR 1793**, with **SCS** and **SS** for **SCS** (pending), be taken up for adoption, which motion prevailed.

SS for **SCS** for **SR 1793** was again taken up.

Senator Pearce assumed the Chair.

Senator Schaefer moved that **SS** for **SCS** for **SR 1793** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SR 1793**, as amended by the **SS** for **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal

Curls

Holsman

Keaveny

Nasheed

Schupp

Sifton

Walsh—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schaefer moved that **SR 1794**, with **SCS**, be taken up for adoption, which motion prevailed. **SCS** for **SR 1794** was taken up.

Senator Schaefer offered **SS** for **SCS** for **SR 1794**:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 1794

Whereas, on July 21, 2015, the President Pro Tempore of the Senate established, pursuant to Senate Rule No. 31, the Senate Interim Committee on the Sanctity of Life composed of seven members of the Missouri Senate (later amended to include ten members of the Senate) with the following duties:

1. Conduct an in-depth analysis of the Planned Parenthood business model and the methods by which they dispose of human remains from aborted fetuses;
2. Investigate whether Planned Parenthood, and any of its affiliates or associates, is or has engaged in activity contrary to the laws of this state;
3. Determine whether any state dollars have been directly used in such activity or used in a manner to offset expenses so that Planned Parenthood and any of its affiliates and associates might engage in such alleged activities;
4. Investigate whether any person, past or present, employed by the state of Missouri had any prior knowledge of any such alleged activity or misuse of state funds; and
5. Examine and investigate any other issues the Committee deems relevant to the allegations brought forth against Planned Parenthood; and

Whereas, over the course of several months, the Committee held public hearings to receive the testimony of witnesses and develop recommendations for the Missouri Senate; and

Whereas, on November 24, 2015, the Committee, pursuant to the call issued by the President Pro Tempore of the Senate on July 21, 2015, and as part of its legislative duties to investigate whether or not an entity that is receiving state funds violated any state laws, issued a subpoena duces tecum to Dr. James Miller, Pathology Services, Inc. (attached as Exhibit 1). The subpoena was properly signed by President Pro Tempore of the Missouri Senate Ron Richard and attested to by the Secretary of the Missouri Senate and received by Dr. Miller on or about November 24, 2015; and

Whereas, the subpoena duces tecum commanded Dr. Miller and Pathology Services, Inc. to designate a knowledgeable person to appear before the Committee on Wednesday, December 2, 2015, to testify before the Committee and to provide the records contained in Attachment A to the subpoena at such time; and

Whereas, on December 1, 2015, Senator Schaefer, as chairman of the Committee, sent a letter to Dr. Miller extending the deadline to appear before the Committee to December 9, 2015, and Senator Schaefer sent another letter to Dr. Miller extending the deadline to appear before the Committee to December 16, 2015; and

Whereas, on December 10, 2015, an attorney representing Dr. Miller and Pathology Services sent by fax and via USPS a document to Senator Richard entitled “Objections to the Subpoena Duces Tecum Issued to Dr. James Miller and Pathology Services Inc.”; and

Whereas, the objections to the subpoena duces tecum contained in the letter to President Pro Tempore Richard by Dr. Miller and Pathology Services on December 10, 2015, have been distributed to the members of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics; and

Whereas, in the judgment of the Senate Committee on Rules, Joint Rules, Resolutions, and Ethics, the objections to the subpoena duces tecum are without merit and that such subpoena should be fully complied with; and

Whereas, the subpoena duces tecum does not seek any personally identifiable information from any client; and

Whereas, to this day, Dr. Miller has failed to comply with a properly executed subpoena duces tecum issued by the Missouri Senate and has not indicated that he intends to ever comply with the subpoena duces tecum; and

Whereas, in the judgment of this body, the documents sought by the Committee were relevant and pertinent to the charge of the Committee and should have been produced by Dr. Miller in the time period denoted in the subpoena duces tecum and the letters from Senator Schaefer to Dr. Miller; and

Whereas, the General Assembly is authorized to issue subpoenas pursuant to Senate Rule 14 as well as Section 21.400, RSMo, which states “Subpoenas for witnesses and the production of records shall be issued at the request of any member of the senate or the house of representatives, or the party accused, or any member of any committee; and all process awarded by the senate or house of representatives, and subpoenas and other process for witnesses whose attendance is required by either the senate or the house, or before any committee, shall be under the hand of the president pro tem, or the speaker and attested by the secretary or chief clerk, as the case may be, and shall be executed by the sergeant at arms of such house, or by a special messenger appointed for that purpose.”; and

Whereas, the General Assembly possesses power under the Missouri Constitution to arrest and punish a person who is guilty of contemptuous behavior; specifically Article III, Section 18 of the Missouri Constitution states, in part, that “Each house [of the General Assembly] may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions...”; and

Whereas, Dr. James Miller and Pathology Services Inc. appear to have had no lawful excuse for not complying with the subpoena duces tecum; that the information to be obtained by the Committee from Dr. Miller and Pathology Services Inc. would be important and material for the Committee in fulfilling its legislative duties; that absent any lawful excuse it was the duty of Dr. James Miller and Pathology Services Inc. to have provided the requested documents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby take notice of the aforementioned failure to comply with the subpoena duces tecum issued by the Missouri Senate; and

Be It Further Resolved that Dr. Miller be summoned to appear at the bar of this body and show cause why he should not be found to have engaged in contemptuous behavior under Article III, Section 18 of the Missouri Constitution by refusing to comply with the subpoena issued under authority granted by Senate Rule 14 and Section 21.400, RSMo, and be punished for said contempt; and

Be It Further Resolved that the President Pro Tempore of the Senate and the Secretary of the Senate are hereby authorized to issue the necessary process to bring Dr. Miller to the Senate Chamber within the Missouri State Capitol on April 25, 2016, at 2:00 p.m., and the Sergeant-at-Arms, or his designee, is authorized and required to execute such process in the manner directed therein.

Exhibit 1

SUBPOENA DUCES TECUM

BEFORE THE SENATE INTERIM COMMITTEE ON THE SANCTITY OF LIFE

MISSOURI SENATE

A CHAMBER OF THE MISSOURI GENERAL ASSEMBLY

STATE OF MISSOURI)
) SS
COUNTY OF COLE)

THE STATE OF MISSOURI, TO Dr. James Miller
 Pathology Services, Inc.
 2916 South Brentwood Blvd.
 St. Louis, MO 63144

YOU ARE HEREBY COMMANDED, setting aside all manner of excuse and delay, to designate one or more officers, directors, or other agents who are knowledgeable about the matters referenced in Attachment A to appear in proper person before the Senate Interim Committee on the Sanctity of Life on Wednesday, December 2, 2015, at 1:00 p.m, in Senate Committee Room 2, State Capitol Building, Jefferson City, Missouri 65101, to testify then and there and speak the truth in a certain inquiry now before said Interim Committee on the Sanctity of Life of the Missouri Senate and you are further commanded to bring with you and then and there produce in evidence the records set forth in Attachment A.

WITNESS my signature on this 24th day of November, 2015.


President Pro Tempore of the Missouri Senate

ATTEST:

Arianne D. Crouse
Secretary of the Senate

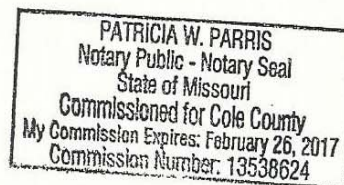
MESSENGER'S RETURN

I HEREBY CERTIFY that I have served this subpoena in ST. LOUIS County, Missouri,
delivering a copy to the person named above at ANGIE FOWLER
JB 3:35 p.m. (time) on this 24TH (day) of
NOVEMBER (month), 2015, at 2916 SOUTH BRENTWOOD
BLVD., ST. LOUIS, MO. 63144 (location).

[Signature]
Designated Server

Subscribed and sworn to before me this 20th day of November, 2015.

Patricia W. Parris
Notary Public



Attachment A

For purposes of this request, the term "Document" includes but is not limited to emails, correspondence, submissions, notes, call logs, grant applications, approvals, attachments, exhibits, photographs, calendar entries, and any other written form of communication or memorialization whether electronic, paper, or other form which is in the possession of Pathology Services, Inc., or any of its employees, agents, or contractors, and dated, composed, received, or otherwise coming into the possession of Pathology Services, Inc., from January 1, 2010, to the date of the issuance of this subpoena.

For purposes of this request, the term "Planned Parenthood" means the entity operating as either Planned Parenthood of the St. Louis Region and Southwest Missouri, Inc. or Reproductive Health Services of Planned Parenthood of the St. Louis Region, Inc.

Please produce:

1. All documents relating to all procedures for accepting and handling human tissue and fetal remains originating from Planned Parenthood;
2. All documents relating to the procedures for examining and evaluating human tissue and fetal remains;
3. All documents relating to Pathology Services' standard procedures for handling and disposing of human tissue, including waste tracking and certification of disposal;
4. All documents relating to the procedures for handling and disposing of human tissue and fetal remains originating from Planned Parenthood, including waste tracking and certification of disposal, if such procedures differ in any way from Pathology Services' standard procedures for handling and disposing of human tissue;
5. All documents which establish or relate to the creation and contents of pathology reports as required under Section 188.047, RSMo, including all documents relating to the submission of such reports to Planned Parenthood and to the Missouri Department of Health and Senior Services;
6. All documents relating to any contracts with any entity for the transfer and/or disposal of human tissue and fetal remains; and
7. All documents relating to any contracts with Planned Parenthood for the transfer, examination, and/or disposal of human tissue or fetal remains.

Senator Schaefer moved that **SS** for **SCS** for **SR 1794** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SR 1794**, as amended by the **SS** for **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

THIRD READING OF SENATE BILLS

SB 1025, introduced by Senator Kraus, entitled:

An Act to repeal sections 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to the taxation of instructional classes.

Was taken up.

On motion of Senator Kraus, **SB 1025** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 856**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 856

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SCS** for **SB 856** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 681, introduced by Senator Cunningham, entitled:

An Act to repeal section 217.722, RSMo, and to enact in lieu thereof one new section relating to probation violations.

Was taken up.

On motion of Senator Cunningham, **SB 681** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Silvey assumed the Chair.

SCS for **SBs 661, 726** and **741**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 661, 726 and 741

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to actions committed by government officials, with an emergency clause for a certain section and an effective date for a certain section.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SBs 661, 726** and **741** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Riddle	Romine	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Emery Onder—2

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Parson	Pearce	Richard	Riddle	Romine	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Onder Schaaf—2

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 659, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 659

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

Was taken up.

On motion of Senator Wasson, **SS for SB 659** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 1002, introduced by Senator Hegeman, entitled:

An Act to repeal section 67.1471, RSMo, and to enact in lieu thereof one new section relating to community improvement districts.

Was taken up.

On motion of Senator Hegeman, **SB 1002** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 827, introduced by Senator Sifton, entitled:

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to dyslexia.

Was taken up.

On motion of Senator Sifton, **SB 827** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 932, introduced by Senator Cunningham, entitled:

An Act to repeal section 370.230, RSMo, and to enact in lieu thereof one new section relating to credit union supervisory committees.

Was taken up.

On motion of Senator Cunningham, **SB 932** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 947, introduced by Senator Parson, entitled:

An Act to amend chapter 379, RSMo, by adding thereto five new sections relating to transportation network company insurance.

Was taken up.

On motion of Senator Parson, **SB 947** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf

Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 985, introduced by Senator Wasson, entitled:

An Act to amend chapter 335, RSMo, by adding thereto twelve new sections relating to the nurse licensure compact, with an effective date.

Was taken up.

On motion of Senator Wasson, **SB 985** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 638**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 638

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof four new sections relating to civics education.

Was taken up by Senator Riddle.

On motion of Senator Riddle, **SCS** for **SB 638** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 996**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 996

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to distribution of state school aid for charter schools, with an emergency clause.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 996** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Emery	Hegeman	Kraus—3
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Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Emery	Hegeman	Kraus—3
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Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 899, introduced by Senator Parson, entitled:

An Act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of certain memorial transportation infrastructure.

Was taken up.

On motion of Senator Parson, **SB 899** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Glen P. Cope, Republican and Timothy W. Martin, Independent, as members of the State Soil And Water Districts Commission;

Also,

Larea Annette Griggs, as a member of the Missouri Brain Injury Advisory Council;

Also,

Nancy S. Hoeman; Michelle L. Miller; Linda K. Thomas; and Donna M. Washburn, as members of the Child Abuse And Neglect Review Board;

Also,

Barbara J. Hayden, Republican; Willis Jackson Magruder, Democrat; James L. Mathewson, Democrat; Donald R. McQuitty, Democrat; Lowell F. Mohler, Republican; and Kevin C. Roberts, Democrat, as members of the State Fair Commission;

Also,

Stephen F. Huss, as a member of the Mental Health Commission;

Also,

Rosella L. Schad, as a member of the Board of Geologist Registration;

Also,

Carter Brooks Templeton, as a student representative of the Truman State University Board Of Governors;

Also,

David C. Thomas, Republican, as a member of the Missouri Commission on Human Rights; and

Derek J. Wiseman, as a member of the Children's Trust Fund Board.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and

consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 1085**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1681**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 2428**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1698**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 2195**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1539**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1538**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1559**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HCS for HB 1658**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 2183**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HCS** for **HB 2453**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 2480**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 771**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1473**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1480**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1477**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 2125**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 733**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 734**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1388**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1619**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 830**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 1091**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Kraus, Chairman of the Committee on Ways and Means, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1593**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 2030**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1582**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 1117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 596**, begs leave to report

that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HBs 1366** and **1878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 774**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Sater, Chairman of the Committee on Seniors, Families and Children, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1649**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 1795**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 2187**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 1120**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1904**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 2591**, **HB 1958** and **HB 2369**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 2335**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1851**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1745**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 1979**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 1979**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2667**, entitled:

An Act to repeal sections 43.535 and 190.060, RSMo, and to enact in lieu thereof two new sections relating to ambulance districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2069 & 2371**, entitled:

An Act to repeal sections 188.036, 188.047, 188.052, 194.375, and 197.230, RSMo, and to enact in lieu thereof six new sections relating to abortion, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 2045 & 2316**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto two new sections relating to pharmacy.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1811**, entitled:

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1858**, entitled:

An Act to repeal sections 400.9-516, 486.245, 486.285, 486.305, 486.310, and 486.375, RSMo, and to enact in lieu thereof eight new sections relating to the filing of certain documents, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1632**, entitled:

An Act to repeal sections 49.060, 79.490, 80.570, 192.300, 478.003, and section 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof eighteen new sections relating to political subdivisions, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1443**, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2379**, entitled:

An Act to amend chapters 167 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2605**, entitled:

An Act to amend chapter 210, RSMo, by adding thereto four new sections relating to children in foster care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2217**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to fees for optometric and ophthalmic services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1659—Veterans' Affairs and Health.

HCS for HB 2441—Veterans' Affairs and Health.

HCS for HB 1941—Progress and Development.

HCS for HB 1695—Jobs, Economic Development and Local Government.

HB 2146—Seniors, Families and Children.

HB 2147—Seniors, Families and Children.

HB 1466—Financial and Governmental Organizations and Elections.

HCS for HB 2332—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 2561—Judiciary and Civil and Criminal Jurisprudence.

HB 1715—Seniors, Families and Children.

HCS for HB 2202—Seniors, Families and Children.

HCS for HB 2381—Ways and Means.

HB 2102—Jobs, Economic Development and Local Government.

HCS for HB 2135—Jobs, Economic Development and Local Government.

HCS for HB 1804—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 2038—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1428—Veterans' Affairs and Health.

HCS for HB 2150—Small Business, Insurance and Industry.

HB 1962—Transportation, Infrastructure and Public Safety.

HCS for HB 1943—Education.

HCS for HB 2445—Transportation, Infrastructure and Public Safety.

HB 1951—General Laws and Pensions.

HCS for HB 2272—Jobs, Economic Development and Local Government.

HB 1427—Education.

HB 1816—Financial and Governmental Organizations and Elections.

HB 2590—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1756—Small Business, Insurance and Industry.

HCS for HB 1718—Small Business, Insurance and Industry.

INTRODUCTIONS OF GUESTS

On behalf of Senators Brown, Wallingford, Wieland, Silvey and himself, Senator Parson introduced to the Senate, Shae Smith, Bolivar; Lacey Haskell, Steelville; CJ Thomas, Camdenton; Lilly Stockard, Jackson; Aimee Stockard, St. Louis; and Brooke Rowe, Kansas City, representatives of Miss Junior High School Collegiate America Pageant.

Senator Emery introduced to the Senate, Jason Dieckhoff, and Rachel Barry, Ty Cook, Sara Gammon and Kevin Cameron, Farm Bureau Youth Leadership, Harrisonville High School.

Senator Riddle introduced to the Senate, Advisor Brett Waddell, Lane Conderman, Louie Lovelace, Mandy Horne and Hannah Barber, Farm Bureau Youth Leadership, Elsberry High School.

Senator Romine introduced to the Senate, Hanna Donze, Hallie Kalb, Beth Pfaff, Thomas Boland and Tyller Arnold, Farm Bureau Youth Leadership, Ste. Genevieve.

Senator Hegeman introduced to the Senate, Advisor Stephanie Oaks, Katie Blanchard, Cheyanne Blanchard, Ismael Garcia and Esly Ortega, Farm Bureau Youth Leadership, Sullivan County.

Senator Emery introduced to the Senate, Harva and Mark Miller, Paxton Dahmer, Ma Kayla Haner, Jocelyn Davis, Anna Miller and Cayden Sanderson, Farm Bureau Youth Leadership, Nevada High School.

Senator Emery introduced to the Senate, twenty-five fourth grade students from Clinton Christian Academy.

Senator Wallingford introduced to the Senate, teacher Laura Bray and nineteen eighth grade students from Immaculate Conception School, Jackson.

Senator Brown introduced to the Senate, Jared Simpson, Josh Mareth, Alyssa Bowers, Braylin Shelton, Dalton Sanders and Zane Massey, Farm Bureau Youth Leadership, Salem.

Senator Romine introduced to the Senate, Angie McGoveran, Linda Wolfe, Russ Kuttenkuler, Annie Winkler, Sara Sucharski and Andrea Wolf, Jefferson County.

Senator Riddle introduced to the Senate, teachers and fourth grade students from McIntire Elementary School, Fulton.

Senator Emery introduced to the Senate, Advisor Kathalee Cole, Alyssa Engeman, Betty Jurgensmeyer,

Jaclyn Smith, Clayton Steward and Taylor Bush, Farm Bureau Youth Leadership, Montrose.

Senator Parson introduced to the Senate, teacher Clint Johnson, Michaela Carrol, Emily Meeker, David Zink, Nathan Wade, Hanah Wheeler and Andrew Schlueter, Farm Bureau Youth Leadership, St. Clair County.

Senator Parson introduced to the Senate, Austin Rice, Sharon Daves, Taiylor Evans, Ranae Poole, Katelin Truster and Juliette Moore, Farm Bureau Youth Leadership, Dallas County.

Senator Brown introduced to the Senate, Angel Fox, Drew Ash, Hunter Barclay, Micah Schmidt, Lincoln McGuire, Kevin Burns, A.J. Camarillo and Nathan Porter, Farm Bureau Youth Leadership, Camden County.

Senator Sater introduced to the Senate, BreeAnna Moore, Courtney Kaye, Allison Krueger, Ty Roethemeier, Darren Mitchell and Tristan Dennis, Lawrence County; and Reagan Bluel.

Senator Sater introduced to the Senate, Mattie Stephenson, Evan Mareth, Kendra Hayworth and Larry Long, Farm Bureau Youth Leadership, Barry County.

Senator Hegeman introduced to the Senate, Clay Parkhurst, Alyssa Craig, Kiley Gibson, Kyla Plynell and Karley Mouzakis, Farm Bureau Youth Leadership, Harrison; and Bryan Barnett.

Senator Parson introduced to the Senate, Sponsor Glen Ray, Aron Randolph, Breannah Staver and Raleigh Raef, Farm Bureau Youth Leadership, Laclede County.

Senator Riddle introduced to the Senate, Maddie Bader, Colt Engemann, Kassie Jennings, Amber Worthington, Michael Fidler and Macy Block, Farm Bureau Youth Leadership, Hermann, Montgomery County and Wellsville-Middletown; and Luella Gregory and Mary LeKamp.

Senator Hegeman introduced to the Senate, Advisor Keith Sutton, Skylar Reynolds, Kince Hutchison, Lilly Simons, DeClan Schwelza, Haize Wilson and Jarod Rains, Farm Bureau Youth Leadership, Daviess County.

Senator Kehoe introduced to the Senate, members of Farm Bureau Youth Leadership, Fatima-Osage R-III, Miller County, Gasconade County, Morgan County and Cole-Eugene High Schools.

Senator Riddle introduced to the Senate, Advisor Tonya St. John, Renee Nelson, Hailey Hopke, Courtney Jennings, Matty Northcutt, Travis Swaim and Avery Carline, Farm Bureau Youth Leadership, Audrain County; and Patty Fennewald and Taylor Fredrick.

Senator Riddle introduced to the Senate, ten representatives of Farm Bureau Youth Leadership, Callaway County; and Katie Milhollin and Billy Grannemann.

Senator Schaaf introduced to the Senate, teacher Debbie Knadler, Chelsea Price, Caleb Knadler, Caitlin Evans and Dylan Deathridge, Farm Bureau Youth Leadership, St. Joseph.

Senator Parson introduced to the Senate, Katelyn Voris, Andrew Covert, Cassidy Elliott, Alyssa Presley, Ryan Bake and Courtney Jenkins, Farm Bureau Youth Leadership, Polk County; and Jerry Sukovaty and Erin Huntsman.

Senator Richard introduced to the Senate, Parker Athey, Jacob Martin, Andrew Adams, Morgan Winchester, Byron Stevens, Blake Jeffries, Ryan Harshaw, Jenna Rector and Keegan Chorum, Farm Bureau Youth Leadership, Jasper High School; and Patricia Burgi and Mark Keenan.

Senator Cunningham introduced to the Senate, student teacher Morgan Borts, Jon Wilson, Wyatt Wilson, Baylee Lynne, Zach Woodward and Cole Hershberger, Farm Bureau Youth Leadership,

Gainesville.

Senator Cunningham introduced to the Senate, Whitney Goans, Eden Edwards, Alex Grenz and Victoria Johnson, Alton; and Cierra Summers and Lauren Murdock, Couch; and Brook Reid and Tyler West, Koshkonong; Christian Hirsch, Jordan Gower and Mikayla Allen, Thayer; Farm Bureau Youth Leadership; and Elysia Grothe, Jarvis Reed, John Doss and Marcus Orf.

Senator Emery introduced to the Senate, Mackenzie Irvin, Kinady Fischer, Jamison Ogburn and Mary Fischer, Farm Bureau Youth Leadership, Bates County.

Senator Pearce introduced to the Senate, Jan Davidson and Seth Gibson, Norborne; Matthew Jenkins and Allie Lock, Carrollton; Farm Bureau Youth Leadership.

Senator Hegeman introduced to the Senate, Advisor Kabel Oaks, Emily Lynch, Conner Lovell, Mariah Fox, Katerina Black, Karli Crawford and Jasper Hanson, Farm Bureau Youth Leadership, Grundy County.

Senator Kehoe introduced to the Senate, Farm Bureau Youth Leadership students from Linn and Vienna High Schools.

Senator Pearce introduced to the Senate, Elizabeth Dunnington, Billie Thompson, Morgan Dotson, Jacob Graham and Austin Van Oster, Caldwell County; Trace Chambers and Aaron Renaud, Howard County; Sherry Jones and students, Livingston County; and Steven Logsdon, Madison O'Dell, Kristin O'Dell; and Lily Warman, Ray County, representatives of Farm Bureau Youth Leadership; and Nicol Lindaman, Doug Chambers, Joe Robinson and Don Honeycutt,

Senator Riddle introduced to the Senate, Advisor Joni Fields, Ashley Kendrick, Maddie Breid, Elizabeth Vitt, Ashlyn Peterson and Andrea Unterbrink, Farm Bureau Youth Leadership, Paris and Madison High Schools.

Senator Kraus introduced to the Senate, fourth grade students from Plaza Heights Christian Academy.

On motion of Senator Onder, the Senate adjourned until 4:00 p.m., Monday, April 18, 2016.

SENATE CALENDAR

FIFTY-THIRD DAY—MONDAY, APRIL 18, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2667-Shumake

HCS for HBs 2069 & 2371

HCS for HBs 2045 & 2316

HB 1811-Hicks

HCS for HB 1858

HCS for HB 1632

HB 1443-Leara

HCS for HB 2379

HB 2605-Lauer

HB 2217-Morris

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)
SCS for SB 998-Romine (In Fiscal Oversight)

SCS for SB 968-Brown (In Fiscal Oversight)
SCS for SB 904-Pearce (In Fiscal Oversight)
SB 873-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| 1. SBs 857 & 712-Romine, with SCS | 31. SB 1144-Brown |
| 2. SB 941-Dixon | 32. SB 871-Wallingford |
| 3. SB 869-Schmitt | 33. SB 1026-Schatz, with SCS |
| 4. SB 658-Wasson | 34. SB 1066-Curls |
| 5. SB 1057-Schaaf, with SCS | 35. SB 1139-Silvey and Holsman |
| 6. SB 951-Wasson | 36. SBs 851 & 694-Brown, with SCS |
| 7. SJR 23-Sater | 37. SB 1028-Silvey, et al, with SCS |
| 8. SB 1096-Dixon and Keaveny | 38. SB 848-Emery, with SCS |
| 9. SB 1012-Dixon | 39. SB 719-Emery, with SCS |
| 10. SB 1014-Dixon | 40. SB 995-Riddle |
| 11. SB 812-Keaveny | 41. SB 788-Schatz, with SCS |
| 12. SB 775-Schaefer | 42. SB 1131-Sifton |
| 13. SB 613-Cunningham, et al, with SCS | 43. SB 1033-Pearce |
| 14. SB 792-Richard | 44. SBs 1010, 958 & 878-Curls, with SCS |
| 15. SB 868-Wasson | 45. SB 793-Richard |
| 16. SJR 35-Kraus, with SCS | 46. SB 1003-Onder |
| 17. SB 798-Kraus, with SCS | 47. SB 1004-Onder |
| 18. SB 920-Schmitt and Kraus | 48. SB 884-Munzlinger |
| 19. SB 1094-Kehoe, with SCS | 49. SB 686-Wallingford, with SCS |
| 20. SB 622-Romine, with SCS | 50. SB 1085-Pearce |
| 21. SB 1005-Walsh | 51. SB 771-Onder |
| 22. SB 972-Silvey | 52. SB 733-Dixon |
| 23. SB 966-Schaaf | 53. SB 734-Dixon |
| 24. SB 908-Sater, with SCS | 54. SB 830-Wasson, with SCS |
| 25. SB 853-Brown | 55. SB 1091-Riddle |
| 26. SBs 662 & 587-Dixon, with SCS | 56. SB 1117-Wasson, with SCS |
| 27. SB 1075-Wallingford | 57. SB 596-Kraus, with SCS |
| 28. SB 883-Riddle | 58. SB 774-Schmitt |
| 29. SB 896-Hegeman | 59. SB 1120-Hegeman, et al |
| 30. SB 1074-Schmitt, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HCS for HB 2013 (Schaefer) | 12. HCS for HB 1658 (Onder) |
| 2. HB 1414-Houghton, with SCS
(Munzlinger) | 13. HCS for HB 1477 (Munzlinger) |
| 3. HCS for HB 1729, with SCS (Munzlinger) | 14. HB 2125-Fitzwater, with SCS (Schmitt) |
| 4. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight) | 15. HB 1619-McCaherty (Dixon) |
| 5. HCS for HB 1550, with SCS (Sater) | 16. HCS for HB 2030, with SCS (Silvey) |
| 6. HCS for HB 1562 (Onder) | 17. HB 1582-Kelley, with SCS (Kraus) |
| 7. HCS for HB 1877 (Wallingford) | 18. HCS for HBs 1366 & 1878, with SCS
(Schaefer) |
| 8. HB 1733-Davis (Kraus) | 19. HCS for HB 1649, with SCS (Parson) |
| 9. HB 1568-Lynch (Brown)
(In Fiscal Oversight) | 20. HB 1795-Haefner, with SCS (Sater) |
| 10. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 21. HCS for HB 2187, with SCS
(Cunningham) |
| 11. HB 1698-Rowden, with SCS | 22. HCS for HB 1904, with SCS
(Wallingford) |
| | 23. HB 1745-Brattin, with SCS (Schatz) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) |
| SB 576-Keaveny | SBs 789 & 595-Wasson, with SCS |
| SB 577-Keaveny | SB 801-Sater, with SCS & SS for SCS
(pending) |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 802-Sater |
| SB 590-Dixon, with SCS, SS for SCS &
SA 8 (pending) | SB 805-Onder, with SCS |
| SB 612-Cunningham | SB 806-Onder, with SCS |
| SB 619-Wallingford | SB 816-Wieland, et al |
| SB 644-Onder, with SCS | SB 825-Munzlinger, with SA 1 (pending) |
| SB 663-Dixon, with SCS & SA 1 (pending) | SB 858-Romine, with SCS & SS for SCS
(pending) |
| SB 680-Emery | SB 894-Munzlinger, with SS (pending) |
| SB 706-Dixon | |
| SB 772-Onder, with SCS | |

SB 898-Cunningham

SB 916-Schaefer

SB 964-Wallingford, with SCS (pending)

SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)

HB 1575-Rowden, with SCA 1 (Onder)

HB 1631-Alferman, with SCS, SS for SCS &
SA 1 (pending) (Kraus)HB 2166-Alferman, with SCS & SS for SCS
(pending) (Onder)

HB 2226-Barnes (Silvey)

HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)

HB 2428-Swan

HB 2195-Hoskins (Pearce)

HB 1539-Vescovo

HB 1538-Vescovo

HB 1559-McCann Beatty (Curls)

HB 2183-Roeber (Curls)

HCS for HB 2453, with SCS

HB 2480-Justus

HB 1473-Dugger, with SCS (Wasson)

HCS for HB 1480 (Hegeman)

HB 1388-Roeber (Dixon)

HB 1593-Crawford (Hegeman)

HB 2591, HB 1958 & HB 2369-Richardson,
with SCS (Libla)

HB 2335-Houghton, with SCS

HB 1851-Alferman, with SCS (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder) (House adopted CCR
and passed CCS)

HCS for HB 2002, with SCS (Schaefer)

HCS for HB 2003, with SCS (Schaefer)

HCS for HB 2004, with SCS (Schaefer)

HCS for HB 2005, with SCS (Schaefer)

HCS for HB 2006, with SCS (Schaefer)

HCS for HB 2007, with SCS (Schaefer)

HCS for HB 2008, with SCS (Schaefer)

HCS for HB 2009, with SCS (Schaefer)

HCS for HB 2010, with SCS, as amended
(Schaefer)

HCS for HB 2011, with SCS (Schaefer)

HCS for HB 2012, with SCS (Schaefer)
HCS for HB 2014, with SCS (Schaefer)

HB 2203-Barnes, with SS for SCS, as amended
(Kehoe) (Further conference granted)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman

SCR 56-Brown
SCR 59-Emery
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 67-Parson

To be Referred

SR 1970-Dixon

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-THIRD DAY—MONDAY, APRIL 18, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make it a practice to judge person and things in the most favorable light at all times, in all circumstances.” (St. Vincent de Paul)

Heavenly Father as we begin this new week let us not be blinded by all that comes before us, lest we misunderstand those people or bills that reflect a different view point yet that wishes to accomplish that which is needful and helpful. Help us see areas where compromise and assistance can be brought to bear so the best is accomplished by us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 14, 2016 was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1985, regarding the death of Alan James AuBuchon, Holts Summit, which was adopted.

Senator Hegeman offered Senate Resolution No. 1986, regarding Eagle Scout Clayton Breshears, Kearney, which was adopted.

Senator Hegeman offered Senate Resolution No. 1987, regarding the Fiftieth Anniversary of Gene and Janice Sparks, Tarkio, which was adopted.

Senator Hegeman offered Senate Resolution No. 1988, regarding the Sixty-fifth Anniversary of Don and Margaret Merrigan, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1989, regarding the Sixtieth Wedding Anniversary of Eldon L. and Barbara A. Everhart, Maryville, which was adopted.

Senators Wieland and Romine offered Senate Resolution No. 1990, regarding Kimberly Weik, Festus, which was adopted.

Senators Wieland and Romine offered Senate Resolution No. 1991, regarding Kathy Russell, Herculaneum, which was adopted.

Senators Wieland and Romine offered Senate Resolution No. 1992, regarding Mary Freshley, Saint Louis, which was adopted.

Senator Romine offered Senate Resolution No. 1993, regarding Linda Thomas, House Springs, which was adopted.

Senator Romine offered Senate Resolution No. 1994, regarding Debra Taggart, Dittmer, which was adopted.

Senator Romine offered Senate Resolution No. 1995, regarding Beverly Robbins, Hillsboro, which was adopted.

Senator Romine offered Senate Resolution No. 1996, regarding Nancy Dawkins, Bridgeton, which was adopted.

Senator Romine offered Senate Resolution No. 1997, regarding Lori Bean, Dittmer, which was adopted.

Senator Romine offered Senate Resolution No. 1998, regarding Carol Ammon, Park Hills, which was adopted.

Senator Walsh offered Senate Resolution No. 1999, regarding the death of former Missouri State Representative Juanita Head Walton, which was adopted.

Senator Kehoe offered Senate Resolution No. 2000, regarding Heather Gieck, which was adopted.

Senator Wieland offered Senate Resolution No. 2001, regarding the Twenty-fifth Anniversary of the Jefferson County Library District, which was adopted.

Senator Kehoe offered Senate Resolution No. 2002, regarding Barbara Stoumbaugh, Crocker, which was adopted.

Senator Onder offered Senate Resolution No. 2003, regarding Rodney Orlando Bozeman, II, O'Fallon, which was adopted.

Senator Kehoe, joined by the entire membership, offered Senate Resolution No. 2004, regarding the death of former State Senator Carl M. Vogel, Jefferson City, which was adopted.

Senator Onder offered Senate Resolution No. 2005, regarding Brianna Elizabeth Birk, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 2006, regarding Daylin Marie Diamond, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 2007, regarding Jocelyn Elise Sanders, St. Peters, which was adopted.

Senator Onder offered Senate Resolution No. 2008, regarding Kara Stahlschmidt, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 2009, regarding Megan Elizabeth Vancil, St. Peters, which was adopted.

Senator Romine offered Senate Resolution No. 2010, regarding Jack Dye, which was adopted.

Senator Romine offered Senate Resolution No. 2011, regarding Kathryn S. Cureton, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2012, regarding Pamela J. Shanks, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 2013, regarding Beverly Lada, Viburnum, which was adopted.

Senator Schatz offered Senate Resolution No. 2014, regarding Pujita Ravichandar, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 2015, regarding Abigail Marie Murphy, Wildwood, which was adopted.

Senator Schatz offered Senate Resolution No. 2016, regarding Aparna Kasinadhuni, Chesterfield, which was adopted.

The Senate observed a moment of silence in memory of former State Senator Carl M. Vogel.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 801**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** was again taken up.

Senator Onder assumed the Chair.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 801, Page 4, Section 475.602, Lines 20-29, by striking all of said lines and inserting in lieu thereof the following: **“the school.”**

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SCS** for **SB 801**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 801**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SB 590**, with **SCS**, **SS** for **SCS** and **SA 8** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 8 was again taken up.

At the request of Senator Dixon, **SS** for **SCS** for **SB 590** was withdrawn, rendering **SA 8** moot.

Senator Dixon offered **SS No. 2** for **SCS** for **SB 590**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 590

An Act to repeal sections 192.2260, 192.2405, 211.059, 217.360, 217.670, 217.690, 217.722, 301.559, 304.351, 311.310, 339.100, 400.9-501, 562.014, 565.020, 565.030, 565.032, 565.040, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 579.015, 632.520, and 650.055, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof fifty-three new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Senator Dixon moved that **SS No. 2** for **SCS** for **SB 590** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 142, Section C, Lines 26-27, by striking the following: “the repeal and reenactment of the second occurrence of section 556.061,”; and

Further amend said bill and section, page 143, Lines 5-6, by striking the following: “the repeal and reenactment of the second occurrence of section 565.020,”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 48, Section 304.351, Line 26 of said page, by striking the word “shall” and inserting in lieu thereof the following: “**may**”; and further amend lines 27-28 of said page, by striking “, but no less than two hundred dollars”; and

Further amend said bill and section, Page 49, line 5 of said page, by striking the word “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 6 of said page, by striking “five hundred”; and further amend line 7 of said page, by striking “, but no less two hundred fifty dollars”; and further amend line 13 of said page, by striking the word “shall” and inserting in lieu thereof the following: “**may**”; and further amend lines 14-15 of said page, by striking “five thousand dollars, but no less than one thousand dollars”; and inserting in lieu thereof the following: “**two thousand five hundred dollars**”; and further amend line 17 of said page, by striking the word “shall” and inserting in lieu thereof the following: “**may**”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 127, Section 577.685, by striking all of said section; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Onder assumed the Chair.

Senator Schupp offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 76, Section 565.033, Lines 2-12 of said page, by striking all of said lines and inserting in lieu thereof the following: “**commission of the offense shall be sentenced to a term of imprisonment for life without eligibility for probation, parole, or release, or a term of imprisonment, the minimum of which shall be at least twenty-five years.**”; and

further amend lines 18-28 of said page, by striking all of said lines; and

Further amend said bill and section, page 77, lines 1-2 of said page inserting in lieu thereof the following:

“3. Any person who has been found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense, and who was sentenced to life without eligibility for probation, parole, or release except by act of the governor, prior to June 25, 2012, shall be eligible for a parole hearing after having served twenty-five years.”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Nasheed offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 142, Section 650.055, Line 13, by inserting after all of said line the following:

“Section 1. 1. A person commits the offense of unlawful sale of over-the-counter diphenhydramine if he or she knowingly dispenses or offers drug products that contain detectable amounts of diphenhydramine, without ensuring that such products are located behind a pharmacy counter where the public is not permitted and that such products are dispensed by a registered pharmacist or pharmacy technician.

2. The offense of unlawful sale of over-the-counter diphenhydramine is a class A misdemeanor.”;
and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Wasson offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 590, Page 65, Section 455.095, Line 13, by inserting after all of said line the following:

“541.033. 1. Persons accused of committing offenses against the laws of this state, except as may be otherwise provided by law, shall be prosecuted:

(1) In the county in which the offense is committed; or

(2) If the offense is committed partly in one county and partly in another, or if the elements of the crime occur in more than one county, then in any of the counties where any element of the offense occurred.

2. Persons accused of committing [the] offenses [of identity theft against the laws of this state in sections 570.223, 570.224, and 575.120] under chapter 570 shall be prosecuted:

(1) In the county in which the offense is committed;

(2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred;

(3) In the county in which the victim resides **or conducts business**; or

(4) In the county in which the property obtained or attempted to be obtained was located.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS No. 2** for **SCS** for **SB 590**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **SB 590**, as amended, was declared perfected and ordered printed.

Senator Keaveny moved that **SB 577** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion Senator Keaveny, **SB 577** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 612** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 612**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 612

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions.

Senator Cunningham moved that **SS** for **SB 612** be adopted.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 612, Page 1, Section 577.685, Line 7, by inserting after the first occurrence of “and” the following: “: **(1)**”; and

Further amend said page and section, line 9, by inserting after the word “felony”, the following: **“offense; or**

(2) Thereafter commits an offense in any other state that would be considered a misdemeanor offense of assault or domestic assault under chapter 565 or a felony offense under the laws of this state, and thereafter enters this state”.

Senator Cunningham moved that the above amendment be adopted.

Senator Dixon offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 612, Page 1, Section 577.685, Lines 6-10, by striking all of said lines and inserting in lieu thereof the following:

“States for any of the reasons listed under 8 U.S.C. Section 1326(b) and thereafter:

(1) Enters this state and commits a misdemeanor offense of assault or domestic assault under chapter 565 or any felony offense; or

(2) Commits an offense in any other state that would be considered a misdemeanor offense of assault or domestic assault under chapter 565 or a felony offense under the laws of this state, and thereafter enters this state.

2. The offense of illegal reentry is a class C felony.

3. Any person in charge of a facility in which an illegal alien is detained upon arrest for the offense of illegal reentry shall transfer custody of such illegal alien to United States Immigration and Customs Enforcement as soon as practicable.

Section B. The enactment of section 575.685 of this act shall become effective on January 1, 2017.”; and

Further amend the title accordingly.

Senator Dixon moved that the above substitute amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SS** for **SB 612**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 612**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 577** and **SS** for **SCS** for **SB 801**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **HB 1698**, with **SCS**; **HCS** for **HB 2030**, with **SCS**; **HCS** for **HBs 1366** and **1878**, with **SCS**; **HB 1795**, with **SCS**; **HCS** for **HB 1904**, with **SCS**; **HB 1745**, with **SCS**; and **HCS** for **HB 2187**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard referred **SR 1970** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1972**, entitled:

An Act to repeal sections 455.050 and 455.523, RSMo, and to enact in lieu thereof three new sections relating to victims of crimes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1611**, entitled:

An Act to repeal sections 160.011, 160.041, 160.775, 167.225, 167.265, 168.303, 168.500, 168.520, 171.031, 171.033, and 192.915, RSMo, and to enact in lieu thereof eighteen new sections relating to elementary and secondary education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 61** relating to the publishing of the Revised Statutes of Missouri.

HOUSE CONCURRENT RESOLUTION NO. 61

Relating to the publishing of the Revised Statutes of Missouri.

Whereas, Article III, Section 34 of the Missouri Constitution requires that "...at least every ten years...all general statute laws shall be revised, digested and promulgated as provided by law"; and

Whereas, the Revised Statutes of Missouri have not been republished since 2000; and

Whereas, on May 13, 2015, a motion was passed by the Joint Committee on Legislative Research to republish the Revised Statutes of Missouri following the 2016 legislative session; and

Whereas, Section 3.010, RSMo, requires the adoption of a concurrent resolution by the general assembly authorizing the printing, publishing, and distribution of the Revised Statutes of Missouri:

Now Therefore Be it Resolved that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby authorize the republication of the Revised Statutes of Missouri following the 2016 legislative session in compliance with Article III, Section 34 of the Missouri Constitution; and

Be it Further Resolved that the Joint Committee on Legislative Research and the Revisor of Statutes shall comply with the provisions of Chapter 3, RSMo, for the republication of the Revised Statutes of Missouri authorized in this resolution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, Mike and Kelly Bridges, Springfield.

Senator Holsman introduced to the Senate, Casey Martin, Kansas City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FOURTH DAY—TUESDAY, APRIL 19, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2667-Shumake

HCS for HBs 2069 & 2371

HCS for HBs 2045 & 2316
 HB 1811-Hicks
 HCS for HB 1858
 HCS for HB 1632
 HB 1443-Leara

HCS for HB 2379
 HB 2605-Lauer
 HB 2217-Morris
 HB 1972-Crawford
 HB 1611-Swan

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and Curls
 (In Fiscal Oversight)
 SCS for SB 998-Romine (In Fiscal Oversight)
 SCS for SB 968-Brown (In Fiscal Oversight)

SCS for SB 904-Pearce (In Fiscal Oversight)
 SB 873-Pearce (In Fiscal Oversight)
 SB 577-Keaveny
 SS for SCS for SB 801-Sater

SENATE BILLS FOR PERFECTION

1. SBs 857 & 712-Romine, with SCS
2. SB 941-Dixon
3. SB 869-Schmitt
4. SB 658-Wasson
5. SB 1057-Schaaf, with SCS
6. SB 951-Wasson
7. SJR 23-Sater
8. SB 1096-Dixon and Keaveny
9. SB 1012-Dixon
10. SB 1014-Dixon
11. SB 812-Keaveny
12. SB 775-Schaefer
13. SB 613-Cunningham, et al, with SCS
14. SB 792-Richard
15. SB 868-Wasson
16. SJR 35-Kraus, with SCS
17. SB 798-Kraus, with SCS
18. SB 920-Schmitt and Kraus
19. SB 1094-Kehoe, with SCS
20. SB 622-Romine, with SCS
21. SB 1005-Walsh
22. SB 972-Silvey
23. SB 966-Schaaf
24. SB 908-Sater, with SCS
25. SB 853-Brown
26. SBs 662 & 587-Dixon, with SCS
27. SB 1075-Wallingford
28. SB 883-Riddle

29. SB 896-Hegeman
30. SB 1074-Schmitt, with SCS
31. SB 1144-Brown
32. SB 871-Wallingford
33. SB 1026-Schatz, with SCS
34. SB 1066-Curls
35. SB 1139-Silvey and Holsman
36. SBs 851 & 694-Brown, with SCS
37. SB 1028-Silvey, et al, with SCS
38. SB 848-Emery, with SCS
39. SB 719-Emery, with SCS
40. SB 995-Riddle
41. SB 788-Schatz, with SCS
42. SB 1131-Sifton
43. SB 1033-Pearce
44. SBs 1010, 958 & 878-Curls, with SCS
45. SB 793-Richard
46. SB 1003-Onder
47. SB 1004-Onder
48. SB 884-Munzlinger
49. SB 686-Wallingford, with SCS
50. SB 1085-Pearce
51. SB 771-Onder
52. SB 733-Dixon
53. SB 734-Dixon
54. SB 830-Wasson, with SCS
55. SB 1091-Riddle
56. SB 1117-Wasson, with SCS

57. SB 596-Kraus, with SCS
58. SB 774-Schmitt

59. SB 1120-Hegeman, et al

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 2013 (Schaefer) | 13. HCS for HB 1477 (Munzlinger) |
| 2. HB 1414-Houghton, with SCS
(Munzlinger) | 14. HB 2125-Fitzwater, with SCS (Schmitt) |
| 3. HCS for HB 1729, with SCS (Munzlinger) | 15. HB 1619-McCaherty (Dixon) |
| 4. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight) | 16. HCS for HB 2030, with SCS (Silvey)
(In Fiscal Oversight) |
| 5. HCS for HB 1550, with SCS (Sater) | 17. HB 1582-Kelley, with SCS (Kraus) |
| 6. HCS for HB 1562 (Onder) | 18. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) |
| 7. HCS for HB 1877 (Wallingford) | 19. HCS for HB 1649, with SCS (Parson) |
| 8. HB 1733-Davis (Kraus) | 20. HB 1795-Haefner, with SCS (Sater)
(In Fiscal Oversight) |
| 9. HB 1568-Lynch (Brown)
(In Fiscal Oversight) | 21. HCS for HB 2187, with SCS
(Cunningham) (In Fiscal Oversight) |
| 10. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 22. HCS for HB 1904, with SCS
(Wallingford) (In Fiscal Oversight) |
| 11. HB 1698-Rowden, with SCS (Sater)
(In Fiscal Oversight) | 23. HB 1745-Brattin, with SCS (Schatz)
(In Fiscal Oversight) |
| 12. HCS for HB 1658 (Onder) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 772-Onder, with SCS |
| SB 576-Keaveny | SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SBs 789 & 595-Wasson, with SCS |
| SB 619-Wallingford | SB 802-Sater |
| SB 644-Onder, with SCS | SB 805-Onder, with SCS |
| SB 663-Dixon, with SCS & SA 1 (pending) | SB 806-Onder, with SCS |
| SB 680-Emery | SB 816-Wieland, et al |
| SB 706-Dixon | |

SB 825-Munzlinger, with SA 1 (pending)
 SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 894-Munzlinger, with SS (pending)
 SB 898-Cunningham

SB 916-Schaefer
 SB 964-Wallingford, with SCS (pending)
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1452-Hoskins, with SCS (Pearce)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 1 (pending) (Kraus)

HB 2166-Alferman, with SCS & SS for SCS
 (pending) (Onder)
 HB 2226-Barnes (Silvey)
 HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
 HB 2428-Swan (Pearce)
 HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)
 HB 1559-McCann Beatty (Curls)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus

HB 1473-Dugger, with SCS (Wasson)
 HCS for HB 1480 (Hegeman)
 HB 1388-Roeber (Dixon)
 HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
 amended (Onder) (House adopted CCR
 and passed CCS)
 HCS for HB 2002, with SCS (Schaefer)
 HCS for HB 2003, with SCS (Schaefer)
 HCS for HB 2004, with SCS (Schaefer)
 HCS for HB 2005, with SCS (Schaefer)

HCS for HB 2006, with SCS (Schaefer)
 HCS for HB 2007, with SCS (Schaefer)
 HCS for HB 2008, with SCS (Schaefer)
 HCS for HB 2009, with SCS (Schaefer)
 HCS for HB 2010, with SCS, as amended
 (Schaefer)
 HCS for HB 2011, with SCS (Schaefer)

HCS for HB 2012, with SCS (Schaefer)
HCS for HB 2014, with SCS (Schaefer)

HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (Further conference granted)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman

SCR 56-Brown
SCR 59-Emery
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 67-Parson

To be Referred

HCR 61-Engler

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FOURTH DAY—TUESDAY, APRIL 19, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“He it is who makes the clouds rise at the end of the earth; he makes lightnings for the rain and brings out the wind from his storehouse.”
(Psalm 135:7)

Almighty God we are thankful for the rain and storms that have come upon our state for they nourish the land and provide us with the wherewithals that are needed. You send forth spring rain that provides us with the majesty of creation: fragrant meadows and rolling hills. So we are thankful and grateful for all you provide. We thank you for giving us to know former Senator Carl Vogel. We commend him to you, O Lord, receive him into his peace in you. And bring comfort to his family and friends who may know the consolation of your love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow the Christian County Sheriff, the Lawrence County Sheriff and the McDonald County Sheriff to enter the Chamber with side arms, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 1111**, begs leave to report that it has considered the same and recommends that the bill do pass.

SENATE BILLS FOR PERFECTION

Senator Wallingford moved that **SB 619** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 619**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 619

An Act to repeal section 192.2425 and 565.186, RSMo, and to enact in lieu thereof two new sections relating to investigations of elder abuse.

Senator Wallingford moved that **SS** for **SB 619** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SB 619** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 576** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 576** was declared perfected and ordered printed.

SBs 857 and 712, with **SCS** were placed on the Informal Calendar.

At the request of Senator Dixon, **SB 941** was placed on the Informal Calendar.

SB 869 was placed on the Informal Calendar.

SB 658 was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 1057**, with **SCS** was placed on the Informal Calendar.

SB 951 was placed on the Informal Calendar.

At the request of Senator Sater, **SJR 23** was placed on the Informal Calendar.

SB 1096 was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 1012** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 1014** was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 812** was placed on the Informal Calendar.

SB 775 was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 613**, with **SCS** was placed on the Informal Calendar.

SB 792 was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 868** was placed on the Informal Calendar.

SJR 35, with **SCS** was placed on the Informal Calendar.

SB 798, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 920** was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 1094**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Romine, **SB 622**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Walsh, **SB 1005** was placed on the Informal Calendar.

SB 972 was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 966** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 908**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 853** was placed on the Informal Calendar.

At the request of Senator Dixon, **SBs 662 and 587**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 1075** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 883** was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 896** was placed on the Informal Calendar.

SB 1074, with **SCS** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 1144** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 871** was placed on the Informal Calendar.

At the request of Senator Schatz, **SB 1026**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Curls, **SB 1066** was placed on the Informal Calendar.

At the request of Senator Silvey, **SB 1139** was placed on the Informal Calendar.

At the request of Senator Brown, **SBs 851 and 694**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Silvey, **SB 1028**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 848**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Emery, **SB 719**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 995** was placed on the Informal Calendar.

SB 788, with **SCS** was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 1131** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 1033** was placed on the Informal Calendar.

At the request of Senator Curls, **SBs 1010, 958 and 878**, with **SCS** was placed on the Informal Calendar.
SB 793 was placed on the Informal Calendar.

At the request of Senator Onder, **SB 1003** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 1004** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 884** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 686**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 1085** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 771** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 733** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 734** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 830**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 1091** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 1117**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 596**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 774** was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 1120** was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HCS for HB 2013 was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1414**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS for HB 1729**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS for HB 1550**, with **SCS** was placed on the Informal Calendar.

HCS for HB 1562 was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS for HB 1877** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1733** was placed on the Informal Calendar.

HCS for HB 1658 was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS for HB 1477** was placed on the Informal Calendar.

HB 2125, with **SCS** was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1619** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1582**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 1649**, with **SCS** was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 857** and **SB 712**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 857** and **712**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 857 and 712

An Act to amend chapters 135 and 173, RSMo, by adding thereto three new sections relating to financial assistance for dual enrollment courses.

Was taken up.

Senator Romine moved that **SCS** for **SBs 857** and **712** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Romine, **SCS** for **SBs 857** and **712** was declared perfected and ordered printed.

Senator Dixon moved that **SB 941** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 941** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 869** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 869, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to sheltered workshops.”; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

“70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, and any board of control of an art museum, **board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax.”; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed

On motion of Senator Schmitt, **SB 869**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 658** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 658** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 1057**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 1057**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1057

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph, with an emergency clause.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 1057** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 1057**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1057

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Senator Schaaf moved that **SS** for **SCS** for **SB 1057** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS** for **SCS** for **SB 1057** was declared perfected and ordered printed.

PRIVILEGED MOTIONS

Senator Schaefer moved that the Senate conferees on **SCS** for **HCS** for **HB 2007** be allowed to exceed the differences in sections 7.060 and 7.065, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Silvey moved that **SB 1139** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Silvey, **SB 1139** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 612**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 2017, regarding the Fiftieth Wedding Anniversary of Ronald Lee and Paula Young, Lebanon, which was adopted.

Senator Kehoe offered Senate Resolution No. 2018, regarding the Joshua House Church, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 2019, regarding William Joseph Comer, Maplewood, which was adopted.

Senator Romine offered Senate Resolution No. 2020, regarding Pamela A. Burke, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 2021, regarding James P. Greminger, Sainte Genevieve, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 586 & 651**.

Emergency clause adopted.

Bill ordered enrolled.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 869**; **SS** for **SCS** for **SB 1057**; **SB 1139**; **SB 658**; **SB 941**; **SCS** for **SBs 857** and **712**; **SS** for **SB 619**; **SB 576**; and **SS No. 2** for **SCS** for **SB 590**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SBs 586** and **651**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SBs 586** and **651**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **SCS** for **HCS** for **HB 2140**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1414, introduced by Representative Houghton, with **SCS**, entitled:

An Act to amend chapter 267, RSMo, by adding thereto one new section relating to agricultural data collection.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

SCS for **HB 1414**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1414**

An Act to amend chapters 261 and 267, RSMo, by adding thereto two new sections relating to agricultural data disclosure.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 1414** be adopted.

At the request of Senator Munzlinger, **HB 1414**, with **SCS** (pending), was placed on the Informal Calendar.

HCS for **HB 1729**, with **SCS**, entitled:

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to fertilizer regulations.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

SCS for **HCS** for **HB 1729**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1729**

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to fertilizer regulations.

Was taken up.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1729, Page 1, Section 266.600, Line 6, by striking “January 1” and inserting in lieu thereof “**August 28**”.

Senator Munzlinger moved that the above amendment be adopted.

Senator Keaveny raised the point of order that **SCS** for **HCS** for **HB 1729** goes beyond the scope of the underlying bill. The point of order was referred to the President Pro Tem who took it under advisement which placed **HCS** for **HB 1729**, with **SCS**, **SA 1** and the point of order (pending) back on the Informal Calendar.

Senator Riddle assumed the Chair.

HCS for **HB 1550**, with **SCS**, entitled:

An Act to repeal sections 452.375, RSMo, and to enact in lieu thereof one new section relating to violations of child custody judgments.

Was called from the Informal Calendar and taken up by Senator Sater.

SCS for **HCS** for **HB 1550**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1550**

An Act to repeal sections 452.310, 452.375, 452.400, 452.410, and 452.556, RSMo, and to enact in lieu thereof five new sections relating to child custody orders, with existing penalty provisions.

Was taken up.

Senator Sater moved that **SCS** for **HCS** for **HB 1550** be adopted.

Senator Sater offered **SS** for **SCS** for **HCS** for **HB 1550**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1550**

An Act to repeal sections 452.310, 452.340, 452.375, 452.400, and 452.556, RSMo, and to enact in lieu thereof five new sections relating to child custody orders, with existing penalty provisions.

Senator Sater moved that **SS** for **SCS** for **HCS** for **HB 1550** be adopted.

At the request of Senator Sater, **HCS** for **HB 1550**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HCS for **HB 1877**, entitled:

An Act to repeal sections 210.110, 211.031, and 211.036, RSMo, and to enact in lieu thereof four

new sections relating to the children's division.

Was called from the Informal Calendar and taken up by Senator Wallingford.

Senator Wallingford offered **SS** for **HCS** for **HB 1877**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1877

An Act to repeal sections 210.110, 211.031, and 211.036, RSMo, and to enact in lieu thereof nine new sections relating to the children's division.

Senator Wallingford moved that **SS** for **HCS** for **HB 1877** be adopted.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1877, Page 6, Section 210.118, Line 17 of said page, by inserting after all of said line the following:

“210.146. 1. Upon receipt of a report of child abuse or neglect concerning a child three years of age or younger and the children's division's determination that such report merits an investigation, such investigation shall include an evaluation of the child by a SAFE CARE provider, as defined in section 334.950, or a review of the child's case file and photographs of the child's injuries by a SAFE CARE provider.

2. When a SAFE CARE provider makes a diagnosis that a child three years of age or younger has been subjected to physical abuse, including but not limited to symptoms indicative of abusive bruising, fractures, burns, abdominal injuries, or head trauma, and reports such diagnosis to the children's division, the division shall immediately submit a referral to the juvenile officer. The referral shall include the division's recommendations to the juvenile officer regarding the care, safety, and placement of the child and the reasons for those recommendations.

210.180. Each employee of the division who is responsible for the investigation or family assessment of reports of suspected child abuse or neglect shall receive not less than forty hours of preservice training on the identification and treatment of child abuse and neglect. In addition to such preservice training such employee shall also receive not less than twenty hours of in-service training each year on the subject of the identification and treatment of child abuse and neglect. **Such annual training shall include at least four hours of medical forensics relating to child abuse and neglect as approved by the SAFE CARE network described in section 334.950.”**; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1877, Page 6, Section 210.118, Line 17 of said page, by inserting after all of said line the following:

“210.154. 1. There is hereby created within the department of social services the “Missouri Task Force on the Prevention of Infant Abuse and Neglect” to study and make recommendations to the governor and general assembly concerning the prevention of infant abuse and neglect in Missouri. The task force shall consist of the following nine members:

(1) Two members of the senate from different political parties, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives from different political parties, appointed by the speaker of the house of representatives;

(3) The director of the department of social services, or his or her designee;

(4) The director of the department of health and senior services, or his or her designee;

(5) A SAFE CARE provider as described in section 334.950;

(6) A representative of a child advocacy organization specializing in prevention of child abuse and neglect; and

(7) A representative of a licensed Missouri hospital or licensed Missouri birthing center.

Members of the task force, other than the legislative members and the directors of state departments, shall be appointed by the governor with the advice and consent of the senate by September 15, 2016.

2. A majority vote of a quorum of the task force is required for any action.

3. The task force shall elect a chair and vice-chair at its first meeting, which shall be convened by the director of the department of social services, or his or her designee, no later than October 1, 2016. Meetings may be held by telephone or video conference at the discretion of the chair.

4. Members shall serve on the task force without compensation but may, subject to appropriations, be reimbursed for actual and necessary expenses incurred in the performance of their official duties as members of the task force.

5. On or before December 31, 2016, the task force shall submit a report on its findings and recommendations to the governor and general assembly.

6. The task shall develop recommendations to reduce infant abuse and neglect, including but not limited to:

(1) Sharing information between the children’s division and hospitals and birthing centers for the purpose of identifying newborn infants who may be at risk of abuse and neglect; and

(2) Training division employees and medical providers to recognize the signs of infant child abuse and neglect.

The recommendations may include proposals for specific statutory and regulatory changes and methods to foster cooperation between state and local governmental bodies, medical providers,

and child welfare agencies.

7. The task force shall expire on January 1, 2017, or upon submission of a report as provided for under subsection 5 of this section.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SS for HCS for HB 1877**, as amended, be adopted, which motion prevailed.

Senator Wallingford moved that **SS for HCS for HB 1877**, as amended, be read a 3rd time and passed and was recognized to close.

President Pro Tem Richard referred **SS for HCS for HB 1877**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

HCS for HB 1562, entitled:

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, and to enact in lieu thereof five new sections relating to sexual trafficking of a child, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Onder.

Senator Onder offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1562, Page 1, In the Title, Line 6, by striking the following: “of a child”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1562, Page 1, Section A, Line 5, by inserting after all of said line the following:

“510.035. 1. Except as provided in subsection 2 of this section, any visual or aural recordings or photographs of a minor who is alleged to be the victim of an offense under chapter 566 created by or in the possession of a child assessment center, health care provider, or multidisciplinary team member shall not be copied or distributed to any person or entity, unless required by supreme court rule 25.03 or if a court orders such copying or distribution upon a showing of good cause after notice and a hearing and after considering the safety and privacy interests of any victim.

2. The following persons or entities may access or share any copies of visual or aural recordings or photographs as described in subsection 1 of this section for the following purposes:

(1) Multidisciplinary team members as part of an investigation, as well as for the provision of protective or preventive social services for minors and their families. For purposes of this section, multidisciplinary team members shall consist of representatives of law enforcement, the children's division, the prosecuting attorney, the child assessment center, the juvenile office, and the health care provider;

(2) Department of social services employees and their legal counsel as part of the provision of child protection as described in section 210.109, as well as for use in administrative proceedings as established by department regulations or through the administrative hearing commission as provided under section 621.075;

(3) Department of mental health employees and their legal counsel as part of an investigation conducted under section 630.167, as well as for use in administrative proceedings as established by department regulations or through the administrative hearing commission as provided under section 621.075;

(4) The office of child advocate as part of a review under section 37.710;

(5) The child abuse and neglect review board as part of a review under sections 210.152 and 210.153; and

(6) The attorney general as part of a legal proceeding.

3. If a court orders the copying or distribution of visual or aural recordings or photographs as described in subsection 1 of this section, the order shall:

(1) Be limited solely to the use of the recordings or photographs for the purposes of a pending court proceeding or in preparation for a pending court proceeding;

(2) Prohibit further copying, reproduction, or distribution of the recordings or photographs; and

(3) Require, upon the final disposition of the case, the return of all copies to the health care provider, child assessment center or multidisciplinary team member that originally had possession of the recordings or photographs, or provide an affidavit to the health care provider, child assessment center, or multidisciplinary team member that originally had possession of the recordings or photographs certifying that all copies have been destroyed.

4. Nothing in this section shall prohibit multidisciplinary team members from exercising discretion to grant access to viewing, but not copying, the visual or aural recordings or photographs.”; and

“545.950. 1. Except as provided by subsection 2 of this section, the defendant, the defendant's attorney, or an investigator, expert, consulting legal counsel, or other agent of the defendant's attorney shall not copy or distribute to a third party any visual or aural recordings or photographs of a minor who is alleged to be the victim of an offense under chapter 566 created by or in the possession of a child assessment center, health care provider, or multidisciplinary team member unless a court orders the copying or distribution upon a showing of good cause after notice and a hearing and after considering the safety and privacy interests of any victim.

2. The defendant's attorney or an investigator, expert, consulting legal counsel, or agent for the defendant's attorney may allow a defendant, witness, or prospective witness to view the information provided under this section, but shall not allow such person to have copies of the information provided.

3. If a court orders the copying or distribution of visual or aural recordings or photographs as described in subsection 1 of this section, the order shall:

(1) Be limited solely to the use of the recordings or photographs for the purposes of a pending court proceeding or in preparation for a pending court proceeding;

(2) Prohibit further copying, reproduction, or distribution of the recordings or photographs; and

(3) Require, upon the final disposition of the case, the return of all copies to the health care provider, child assessment center, or multidisciplinary team member that originally had possession of the recordings or photographs, or provide an affidavit to the health care provider, child assessment center, or multidisciplinary team member that originally had possession of the recordings or photographs certifying that all copies have been destroyed.”; and

Further amend said bill, Page 4, Section 566.213, Line 22, by inserting after all of said section and line the following:

“595.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, **including any visual or aural recordings** that could be used to identify or locate any victim of an offense under chapter 566 or a victim of domestic assault or stalking shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number, place of employment, or physical characteristics, **including an unobstructed visual image of the victim's face or body**.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim, and only after providing reasonable notice to the victim and after allowing the victim the right to respond to such request.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a case under chapter 566, or a case of domestic assault or stalking shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.”;

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Committee Substitute for House Bill No. 1562, Page 4, Section 566.213, Line 22, by inserting immediately after said line the following:

“589.660. As used in sections 589.660 to 589.681, the following terms mean:

- (1) “Address”, a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;
- (2) “Application assistant”, an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, rape, sexual assault, **human trafficking**, or stalking, who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;
- (3) “Designated address”, the address assigned to a program participant by the secretary;
- (4) “Mailing address”, an address that is recognized for delivery by the United States Postal Service;
- (5) “Program”, the address confidentiality program established in section 589.663;
- (6) “Program participant”, a person certified by the secretary of state as eligible to participate in the address confidentiality program;
- (7) “Secretary”, the secretary of state.

589.663. There is created in the office of the secretary of state a program to be known as the “Address Confidentiality Program” to protect victims of domestic violence, rape, sexual assault, **human trafficking**, or stalking by authorizing the use of designated addresses for such victims and their minor children. The program shall be administered by the secretary under the following application and certification procedures:

- (1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person's address or the address of the minor or incapacitated person;
- (2) The secretary may approve an application only if it is filed with the office of the secretary in the manner established by rule and on a form prescribed by the secretary. A completed application shall contain:
 - (a) The application preparation date, the applicant's signature, and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;
 - (b) A designation of the secretary as agent for purposes of service of process and for receipt of first-class mail, legal documents, and certified mail;
 - (c) A sworn statement by the applicant that the applicant has good reason to believe that he or she:
 - a. Is a victim of domestic violence, rape, sexual assault, **human trafficking**, or stalking; and
 - b. Fears further violent acts from his or her assailant;

(d) The mailing address where the applicant may be contacted by the secretary or a designee and the telephone number or numbers where the applicant may be called by the secretary or the secretary's designee; and

(e) One or more addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household;

(3) Upon receipt of a properly completed application, the secretary may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or cancelled before that date. The secretary shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant's certification;

(4) The secretary shall forward first class mail, legal documents, and certified mail to the appropriate program participants.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend House Committee Substitute for House Bill No. 1562, Page 1, In the Title, Line 6, by striking “trafficking of a child” and inserting in lieu thereof the following: “offenses”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend House Committee Substitute for House Bill No. 1562, Page 1, Section A, Line 5, by inserting immediately after said line the following:

“565.225. 1. As used in this section and section 565.227, the term “disturbs” shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:

(1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person’s family or household members, or the person’s domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property; or

(2) At least one of the acts constituting the course of conduct is in violation of an order of protection

and the person has received actual notice of such order; or

(3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or

(4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or

(5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; **or**

(6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, in which case stalking in the first degree is a class D felony.

565.225. 1. As used in this section, the following terms shall mean:

(1) “Course of conduct”, a pattern of conduct composed of two or more acts, which may include communication by any means, over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct. Such constitutionally protected activity includes picketing or other organized protests;

(2) “Credible threat”, a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, or the safety of his or her family, or household members or domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property. The threat must be against the life of, or a threat to cause physical injury to, or the kidnapping of, the person, the person’s family, or the person’s household members or domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property;

(3) “Harasses”, to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

2. A person commits the crime of stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person.

3. A person commits the crime of aggravated stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person, and:

(1) Makes a credible threat; or

(2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or

(3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or

(4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person harassing the other person is twenty-one years of age or older; or

(5) He or she has previously pleaded guilty to or been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; **or**

(6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person harassing the other person knowingly accesses or attempts to access the address of the other person.

4. The crime of stalking shall be a class A misdemeanor unless the person has previously pleaded guilty to or been found guilty of a violation of this section, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section, in which case stalking shall be a class D felony.

5. The crime of aggravated stalking shall be a class D felony unless the person has previously pleaded guilty to or been found guilty of a violation of this section, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section, aggravated stalking shall be a class C felony.

6. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

7. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violation of federal, state, county, or municipal law.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend House Committee Substitute for House Bill No. 1562, Page 1, In the Title, Lines 5-6, by striking “sexual trafficking of a child” and inserting in lieu thereof the following: “victims of crime”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Onder, **HCS** for **HB 1562**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman
Keaveny	Kehoe	Libla	Munzlinger	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators—None

Absent—Senators

Hegeman	Kraus	Nasheed	Schupp—4
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Parson moved that **SCR 67** be taken up for adoption, which motion prevailed.

On motion of Senator Parson, **SCR 67** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Kehoe	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senator Keaveny—1

Absent—Senators

Chappelle-Nadal	Hegeman	Holsman	Kraus	Nasheed	Sater	Schupp—7
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Absent with leave—Senators—None

Vacancies—2

HOUSE BILLS ON THIRD READING

Senator Munzlinger moved that **HCS** for **HB 1729**, with **SCS**, **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

President Pro Tem Richard ruled the point of order well taken.

At the request of Senator Munzlinger, **HCS** for **HB 1729** was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1717**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1804**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 2689**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Richard referred **SS No. 2** for **SCS** for **SB 590** and **SCS** for **SBs 857** and **712** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report #2 on **SS** for **SCS** for **HB 2203**, as amended, and has taken up and passed **CCS#2** for **SS** for **SCS** for **HB 2203**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 875**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **SCS** for **HCS** for **HB 2007** be allowed to exceed the differences on sections 7.060 and 7.065.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SBs 586** and **651**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, Dan and Connie Burkhardt, St. Louis.

Senator Walsh introduced to the Senate, Chancellor Dr. Jeff Pittman, Dr. Rodney Gee, Dr. Doris Graham, Dr. Craig Larson, Rebecca Garrison and students and staff from St. Louis Community College.

Senator Wasson introduced to the Senate, Sheriff Brad Cole, Christian County.

Senator Sater introduced to the Senate, Sheriff Michael Hall, McDonald County; and Sheriff Brad DeLay, Lawrence County.

On behalf of Senator Schmitt and himself, Senator Emery introduced to the Senate, Deacon Ed Fronick, and Jeff and Joan Cassell, St. Louis.

Senator Kehoe introduced to the Senate, the Physician of the Day, Dr. Anne Petersen, Jefferson City.

On behalf of Senator Pearce, the President introduced to the Senate, Daniel Foose, Marshall.

Senator Kehoe introduced to the Senate, teacher Renee Phillips, Rhiannon Hees and fifteen third and fourth grade students from Clarksburg Elementary School.

Senator Holsman introduced to the Senate, Kristy Lambert, Kansas City.

Senator Dixon introduced to the Senate, Mrs. Broaddus and fourth grade students from Greenwood Laboratory School at Missouri State University, Springfield.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIFTH DAY—WEDNESDAY, APRIL 20, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2667-Shumake

HCS for HBs 2069 & 2371

HCS for HBs 2045 & 2316

HB 1811-Hicks

HCS for HB 1858

HCS for HB 1632

HB 1443-Leara

HCS for HB 2379

HB 2605-Lauer

HB 2217-Morris

HB 1972-Crawford

HB 1611-Swan

THIRD READING OF SENATE BILLS

- | | |
|--|--|
| 1. SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight) | 9. SB 869-Schmitt |
| 2. SCS for SB 998-Romine
(In Fiscal Oversight) | 10. SS for SCS for SB 1057-Schaaf |
| 3. SCS for SB 968-Brown
(In Fiscal Oversight) | 11. SB 1139-Silvey, et al |
| 4. SCS for SB 904-Pearce
(In Fiscal Oversight) | 12. SB 658-Wasson |
| 5. SB 873-Pearce (In Fiscal Oversight) | 13. SB 941-Dixon |
| 6. SB 577-Keaveny | 14. SCS for SBs 857 & 712-Romine
(In Fiscal Oversight) |
| 7. SS for SCS for SB 801-Sater | 15. SS for SB 619-Wallingford |
| 8. SS for SB 612-Cunningham | 16. SB 576-Keaveny |
| | 17. SS#2 for SCS for SB 590-Dixon
(In Fiscal Oversight) |

SENATE BILLS FOR PERFECTION

SB 1111-Brown

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight) | 7. HB 1795-Haefner, with SCS (Sater)
(In Fiscal Oversight) |
| 2. HB 1568-Lynch (Brown)
(In Fiscal Oversight) | 8. HCS for HB 2187, with SCS
(Cunningham) (In Fiscal Oversight) |
| 3. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 9. HCS for HB 1904, with SCS
(Wallingford) (In Fiscal Oversight) |
| 4. HB 1698-Rowden, with SCS (Sater)
(In Fiscal Oversight) | 10. HB 1745-Brattin, with SCS (Schatz)
(In Fiscal Oversight) |
| 5. HCS for HB 2030, with SCS (Silvey)
(In Fiscal Oversight) | 11. HCS for HB 1717 (Wallingford) |
| 6. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 12. HCS for HB 1804, with SCS |
| | 13. HCS for HB 2689 (Silvey) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 596-Kraus, with SCS

SB 613-Cunningham, et al, with SCS

SB 622-Romine, with SCS

SB 644-Onder, with SCS

SBs 662 & 587-Dixon, with SCS

SB 663-Dixon, with SCS & SA 1 (pending)

SB 680-Emery

SB 686-Wallingford, with SCS

SB 706-Dixon

SB 719-Emery, with SCS

SB 733-Dixon

SB 734-Dixon

SB 771-Onder

SB 772-Onder, with SCS

SB 774-Schmitt

SB 775-Schaefer

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 788-Schatz, with SCS

SBs 789 & 595-Wasson, with SCS

SB 792-Richard

SB 793-Richard

SB 798-Kraus, with SCS

SB 802-Sater

SB 805-Onder, with SCS

SB 806-Onder, with SCS

SB 812-Keaveny

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 830-Wasson, with SCS

SB 848-Emery, with SCS

SBs 851 & 694-Brown, with SCS

SB 853-Brown

SB 858-Romine, with SCS & SS for SCS
(pending)

SB 868-Wasson

SB 871-Wallingford

SB 883-Riddle

SB 884-Munzlinger

SB 894-Munzlinger, with SS (pending)

SB 896-Hegeman

SB 898-Cunningham

SB 908-Sater, with SCS

SB 916-Schaefer

SB 920-Schmitt and Kraus

SB 951-Wasson

SB 964-Wallingford, with SCS (pending)

SB 966-Schaaf

SB 972-Silvey

SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending)

SB 995-Riddle

SB 1003-Onder	SB 1075-Wallingford
SB 1004-Onder	SB 1085-Pearce
SB 1005-Walsh	SB 1091-Riddle
SBs 1010, 958 & 878-Curls, with SCS	SB 1094-Kehoe, with SCS
SB 1012-Dixon	SB 1096-Dixon and Keaveny
SB 1014-Dixon	SB 1117-Wasson, with SCS
SB 1026-Schatz, with SCS	SB 1120-Hegeman, et al
SB 1028-Silvey, et al, with SCS	SB 1131-Sifton
SB 1033-Pearce	SB 1144-Brown
SB 1066-Curls	SJR 23-Sater
SB 1074-Schmitt, with SCS	SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HB 1414-Houghton, with SCS (pending) (Munzlinger)	HCS for HB 1658 (Onder)
HB 1452-Hoskins, with SCS (Pearce)	HCS for HB 1729 (Munzlinger)
HCS for HB 1477 (Munzlinger)	HB 1733-Davis (Kraus)
HCS for HB 1550, with SCS & SS for SCS (pending) (Sater)	SS for HCS for HB 1877 (Wallingford) (In Fiscal Oversight)
HB 1575-Rowden, with SCA 1 (Onder)	HCS for HB 2013 (Schaefer)
HB 1582-Kelley, with SCS (Kraus)	HB 2125-Fitzwater, with SCS (Schmitt)
HB 1619-McCaherty (Dixon)	HB 2166-Alferman, with SCS & SS for SCS (pending) (Onder)
HB 1631-Alferman, with SCS, SS for SCS & SA 1 (pending) (Kraus)	HB 2226-Barnes (Silvey)
HCS for HB 1649, with SCS (Parson)	HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)	HB 2195-Hoskins (Pearce)
HB 2428-Swan (Pearce)	HB 1539-Vescovo (Wieland)

HB 1538-Vescovo (Wieland)
HB 1559-McCann Beatty (Curls)
HB 2183-Roeber (Curls)
HCS for HB 2453, with SCS (Schaaf)
HB 2480-Justus (Sater)
HB 1473-Dugger, with SCS (Wasson)
HCS for HB 1480 (Hegeman)

HB 1388-Roeber (Dixon)
HB 1593-Crawford (Hegeman)
HB 2591, HB 1958 & HB 2369-Richardson,
with SCS (Libla)
HB 2335-Houghton, with SCS (Riddle)
HB 1851-Alferman, with SCS (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HB 1979-Rowden, with SS for SCS, as
amended (Onder) (House adopted CCR
and passed CCS)
HCS for HB 2002, with SCS (Schaefer)
HCS for HB 2003, with SCS (Schaefer)
HCS for HB 2004, with SCS (Schaefer)
HCS for HB 2005, with SCS (Schaefer)
HCS for HB 2006, with SCS (Schaefer)
HCS for HB 2007, with SCS (Schaefer)
HCS for HB 2008, with SCS (Schaefer)

HCS for HB 2009, with SCS (Schaefer)
HCS for HB 2010, with SCS, as amended
(Schaefer)
HCS for HB 2011, with SCS (Schaefer)
HCS for HB 2012, with SCS (Schaefer)
HCS for HB 2014, with SCS (Schaefer)
HB 2203-Barnes, with SS for SCS, as
amended (Kehoe) (House adopted
CCR#2 and passed CCS#2)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman

SCR 56-Brown
SCR 59-Emery
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer

To be Referred

HCR 61-Engler

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIFTH DAY—WEDNESDAY, APRIL 20, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“What soap is to the body, laughter is to the soul.” (Yiddish proverb)

King of the Universe, we often take ourselves far too seriously and forget to laugh and laugh often which we know benefits us, especially when we can laugh at ourselves. So assist us to have the courage to look at ourselves and learn how to laugh for it strengthens our bodies, lightens our souls and makes us much more capable to be with others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow members of Jasper County law enforcement to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 2022, regarding Jack A. Liput, Columbia, which was adopted.

Senator Hegeman offered Senate Resolution No. 2023, regarding Jessie Ridenour, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2024, regarding the Sixtieth Wedding Anniversary of William and Lois Fleshman, Unionville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2025, regarding the Sixtieth Wedding Anniversary of Richard and Lois Brand, Hopkins, which was adopted.

Senator Hegeman offered Senate Resolution No. 2026, regarding the Fiftieth Wedding Anniversary of Lynn and Judy VonKeanel, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 2027, regarding the Fiftieth Wedding Anniversary of Robert and Velda Puffer, Unionville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2028, regarding the Fiftieth Wedding Anniversary of Dave and Marsha Copeland, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 2029, regarding the Fiftieth Wedding Anniversary of John and Alice Redden, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2030, regarding the Fiftieth Wedding Anniversary of Ron and Judy Wilmes, Maryville, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the Speaker to inform the Senate that Representative Flanigan has removed himself from the Conference Committees on the House appropriation bills and is replaced by the following Representatives:

SCS for HCS for HB 2002: Gannon; **SCS for HCS for HB 2003:** Lauer; **SCS for HCS for HB 2004:** Basye; **SCS for HCS for HB 2005:** Justus; **SCS for HCS for HB 2006:** Rone; **SCS for HCS for HB 2007:** Basye; **SCS for HCS for HB 2008:** Wilson; **SCS for HCS for HB 2009:** Wilson; **SCS for HCS for HB 2010,** as amended: Wood; **SCS for HCS for HB 2011:** Allen; **SCS for HCS for HB 2012:** Justus; and **SCS for HCS for HB 2014:** Alferman.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Onder.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 2031, regarding Mike Mapes, Farmington, which was adopted.

Senator Walsh offered Senate Resolution No. 2032, regarding Eagle Scout Dominic Simon Bell, St. Louis, which was adopted.

Senator Libla offered Senate Resolution No. 2033, regarding Tiffany I. Martin, which was adopted.

Senator Libla offered Senate Resolution No. 2034, regarding Bill Hampton, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 2035, regarding Dr. Mairead Ryan-Anderson, Ellsinore, which was adopted.

Senator Libla offered Senate Resolution No. 2036, regarding Danetta Norris, Poplar Bluff, which was adopted.

Senator Richard offered Senate Resolution No. 2037, regarding Tom Rhoads, Joplin, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the Speaker to inform the Senate that Representative Lauer has been removed from the Conference Committee on **SCS** for **HCS** for **HB 2003** and is replaced by Representative Fitzpatrick.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2017**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2016 and ending June 30, 2017.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2018**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2016 and ending June 30, 2017.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 951** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wieland offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 951, Page 7, Section 436.455, Line 18, by striking the word “thirty” and inserting in lieu thereof the following: “**five**”.

Senator Wieland moved that the above amendment be adopted.

At the request of Senator Wasson, **SB 951**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Sater moved that **SJR 23** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SJR 23**, entitled:

**SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 23**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 50 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to initiative petitions.

Senator Emery moved that **SS** for **SJR 23** be adopted.

Senator Pearce assumed the Chair.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 23, Page 2, Section 50, Line 8, by inserting at the end of said line the following: “**All amendments to the Missouri constitution proposed by the general assembly shall be adopted by at least a two-thirds majority vote of each house of the general assembly.**”.

Senator Holsman moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Keaveny, Schupp and Sifton.

Senator Emery raised the point of order that **SA 1** is out of order as it goes beyond the scope of the title.

The point of order was referred to the President Pro Tem.

At the request of Senator Holsman, **SA 1** was withdrawn, rendering the point of order moot.

At the request of Senator Sater, **SJR 23**, with **SS** (pending), was placed on the Informal Calendar.

Senator Dixon moved that **SB 1096** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus assumed the Chair.

Senator Schaaf offered **SS** for **SB 1096**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 1096

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with a referendum clause.

Senator Schaaf moved that **SS** for **SB 1096** be adopted.

At the request of Senator Dixon, **SB 1096**, with **SS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Onder, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 1979**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1979

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1979, with Senate Amendment No. 2, Senate Amendment No. 3, and Senate Amendment No. 4 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1979, as amended;
2. That the House recede from its position on House Bill No. 1979;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1979, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Caleb Rowden
/s/ Justin Alferman
/s/ Jay Barnes
/s/ Gail McCann Beatty
/s/ Gina Mitten

FOR THE SENATE:

/s/ Bob Onder
/s/ Dan Hegeman
/s/ Mike Kehoe
/s/ Jason Holsman
/s/ Scott Sifton

Senator Onder moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf

Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schmitt assumed the Chair.

On motion of Senator Onder, **CCS** for **SS** for **SCS** for **HB 1979**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1979

An Act to repeal section 105.456 as enacted by house bill no. 1120, eighty-ninth general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to certain public officials becoming lobbyists.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Kehoe, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 2203**, as amended, moved that the following conference committee report be

taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2203

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 2203, with Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 4 to Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, and Senate Amendment No. 4. begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 2203, as amended;
2. That the House recede from its position on House Bill No. 2203;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 2203 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jay Barnes
/s/ Justin Alferman
/s/ Caleb Jones
/s/ Gail McCann Beatty
/s/ Gina Mitten

FOR THE SENATE:

/s/ Mike Kehoe
/s/ Bob Onder
/s/ Jay Wasson
Maria Chappelle-Nadal
/s/ Scott Sifton

Senator Kehoe moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Pearce—1

Absent—Senators—None

Absent with leave—Senator Curls—1

Vacancies—2

On motion of Senator Kehoe, **CCS No. 2** for **SS** for **SCS** for **HB 2203**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2203

An Act to repeal section 130.034, RSMo, and section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, and to enact in lieu thereof five new sections relating to campaign finance.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Pearce—1

Absent—Senators—None

Absent with leave—Senator Curls—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HB 2166**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HB 2166** was again taken up.

At the request of Senator Onder, **SS** for **SCS** for **HB 2166** was withdrawn.

Senator Onder offered **SS No. 2** for **SCS** for **HB 2166**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2166

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating solely

to lobbyist expenditures, with an existing penalty provision.

Senator Onder moved that **SS No. 2** for **SCS** for **HB 2166** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Line 19, by striking “fifty” and inserting in lieu thereof the following: “**forty-five**”.

Senator Schatz moved that the above amendment be adopted.

Senator Schatz offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Lines 12-23, by striking said lines and inserting in lieu thereof the following:

“14. (1) No lobbyist, lobbyist principal, or any other person acting on behalf of a lobbyist or lobbyist principal, shall spend more than forty-two dollars on expenditures on any calendar day on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children.”.

Senator Schatz moved that the above substitute amendment be adopted.

Senator Schatz offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 105.473, Line 6 of said amendment, by striking “forty-two” and inserting in lieu thereof the following: “**forty**”.

Senator Schatz moved that **SA 1** to **SSA 1** for **SA 1** be adopted.

President Pro Tem Richard assumed the Chair.

Senator Schaaf raised the point of order that per Senate Rule 88 the withdrawal of **SS** for **SCS** was only permissible with consent of the Senate, as it had been previously amended.

Senator Pearce assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Romine assumed the Chair.

Senator Pearce assumed the Chair.

Senator Romine assumed the Chair.

Senator Schatz moved that **SA 1** to **SSA 1** for **SA 1** be adopted, which motion prevailed.

Senator Schaaf offered **SA 2 to SSA 1 for SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 105.473, Line 6 of said amendment, by inserting at the end of such line the following: “**meal on any**”

and further amend said page, line 8, by inserting at the end of said line the following: “**For purposes of this subsection, the term “meal” shall include any occasion on which any type of food or beverage is consumed. Expenditures shall not be made except for meals**”

Senator Schaaf moved that the above amendment be adopted.

Senator Schatz raised the point of order that **SA 2 to SSA 1 for SA 1** amends previously amended material.

The point of order was referred to the President Pro Tem.

Senator Schatz raised a further point of order that **SA 2 to SSA 1 for SA 1** is dilatory.

The second point of order was referred to the President Pro Tem.

President Pro Tem Richard ruled the first point of order not well taken.

President Pro Tem Richard ruled the second point of order well taken.

Senator Schaaf appealed the ruling on the second point of order.

At the request of Senator Schaaf the above appeal was withdrawn.

At the request of Senator Onder, **HB 2166**, with **SCS, SS No. 2 for SCS, SA 1 and SSA 1 for SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 579**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 579, Page 2, Section 192.667, Line 31, by deleting the word “Prevention’s” and inserting in lieu thereof the words “[Prevention’s] **Prevention**”; and

Further amend said bill and section, Pages 2-3, Line 36-40, by deleting all of said lines and inserting in lieu thereof the following:

“**condition of licensure to use the National Healthcare Safety Network for data collection; the use of the National Healthcare Safety Network for risk adjustment and analysis of hospital submitted**

data; and the use of the Centers for Medicare and Medicaid Services’ Hospital Compare website, or its successor, for public reporting of the incidence of health care-associated”; and

Further amend said bill and section, Page 3, Line 63, by deleting the numbers “[12] **13**” and inserting in lieu thereof the number “**12**”; and

Further amend said bill, page, and section, Line 65, by deleting all of said line and inserting in lieu thereof the following:

“Control and [Prevention Nosocomial Infection Surveillance System] **Prevention’s National**”; and

Further amend said bill and section, Pages 3-4, Lines 75-77, by deleting all of said lines and inserting in lieu thereof the following:

“in the National Healthcare Safety Network, or its successor. Such hospitals shall permit the [federal program] National Healthcare Safety Network, or its successor, to disclose facility-specific infection data to the department as required”; and

Further amend said bill and section, Page 5, Line 121, by deleting the word “publication” and inserting in lieu thereof the word “**publication**”; and

Further amend said bill, page, and section, Line 142, by deleting all of said lines and inserting in lieu thereof the following:

“(1) Infections associated with a minimum of four surgical procedures for hospitals and a”; and

Further amend said bill, page, and section, Line 147, by deleting the word “**which**” and inserting in lieu thereof the word “**that**”; and

Further amend said bill, page, and section, Line 151, by inserting immediately after the first instance of the word “**or**” the word “**being**”; and

Further amend said bill and section, Page 6, Lines 157-158, by deleting the words “**, or its successor,**”; and

Further amend said bill, page, and section, Line 158, by deleting the word “**Prevention**” and inserting in lieu thereof the word “**Prevention’s**”; and

Further amend said bill, page, and section, Line 161, by inserting a hard return after all of said line; and

Further amend said bill, page, and section, Line 184, by deleting the phrase “infections, **under subsection 12 of this section,**” and inserting in lieu thereof the phrase “infections **under subsection 12 of this section**”; and

Further amend said bill and section, Page 8, Line 230, by deleting the words “**Center for Disease Control’s**” and inserting in lieu thereof the following “**Centers for Disease Control and Prevention’s**”; and

Further amend said bill, page, and section, Lines 232-234, by deleting all of said lines and inserting in lieu thereof the following:

“concerning Stage 3 of the Medicare and Medicaid Electronic Health Records Incentive Programs promulgated by the Centers for Medicare and Medicaid Services that enable the electronic interface

for such reporting are”; and

Further amend said bill, page, and section, Line 240, by deleting the word “**except**” and inserting in lieu thereof the word “**but**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 579, Page 1, In the Title, Line 3, by deleting the words “infection reporting” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“191.1145. 1. As used in sections 191.1145 and 191.1146, the following terms shall mean:

(1) “Asynchronous store-and-forward transfer”, the collection of a patient’s relevant health information and the subsequent transmission of that information from an originating site to a health care provider at a distant site without the patient being present;

(2) “Clinical staff”, any health care provider licensed in this state;

(3) “Distant site”, a site at which a health care provider is located while providing health care services by means of telemedicine;

(4) “Health care provider”, as that term is defined in section 376.1350;

(5) “Originating site”, a site at which a patient is located at the time health care services are provided to him or her by means of telemedicine. For the purposes of asynchronous store-and-forward transfer, originating site shall also mean the location at which the health care provider transfers information to the distant site;

(6) “Telehealth” or “telemedicine”, the delivery of health care services by means of information and communication technologies which facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient’s health care while such patient is at the originating site and the health care provider is at the distant site. Telehealth or telemedicine shall also include the use of asynchronous store-and-forward technology.

2. Any licensed health care provider shall be authorized to provide telehealth services if such services are within the scope of practice for which the health care provider is licensed and are provided with the same standard of care as services provided in person.

3. In order to treat patients in this state through the use of telemedicine or telehealth, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards.

4. Nothing in subsection 3 of this section shall apply to:

(1) Informal consultation performed by a health care provider licensed in another state, outside of the context of a contractual relationship, and on an irregular or infrequent basis without the expectation or exchange of direct or indirect compensation;

(2) Furnishing of health care services by a health care provider licensed and located in another state in case of an emergency or disaster; provided that, no charge is made for the medical assistance; or

(3) Episodic consultation by a health care provider licensed and located in another state who provides such consultation services on request to a physician in this state.

5. Nothing in this section shall be construed to alter the scope of practice of any health care provider or to authorize the delivery of health care services in a setting or in a manner not otherwise authorized by the laws of this state.

6. No originating site for services or activities provided under this section shall be required to maintain immediate availability of on-site clinical staff during the telehealth services, except as necessary to meet the standard of care for the treatment of the patient's medical condition if such condition is being treated by an eligible health care provider who is not at the originating site, has not previously seen the patient in person in a clinical setting, and is not providing coverage for a health care provider who has an established relationship with the patient.

7. Nothing in this section shall be construed to alter any collaborative practice requirement as provided in chapters 334 and 335.

191.1146. 1. Physicians licensed under chapter 334 who use telemedicine shall ensure that a properly established physician-patient relationship exists with the person who receives the telemedicine services. The physician-patient relationship may be established by:

(1) An in-person encounter through a medical interview and physical examination;

(2) Consultation with another physician, or that physician's delegate, who has an established relationship with the patient and an agreement with the physician to participate in the patient's care; or

(3) A telemedicine encounter, if the standard of care does not require an in-person encounter, and in accordance with evidence-based standards of practice and telemedicine practice guidelines that address the clinical and technological aspects of telemedicine.

2. In order to establish a physician-patient relationship through telemedicine:

(1) The technology utilized shall be sufficient to establish an informed diagnosis as though the medical interview and physical examination has been performed in person; and

(2) Prior to providing treatment, including issuing prescriptions, a physician who uses telemedicine shall interview the patient, collect or review relevant medical history, and perform an examination sufficient for the diagnosis and treatment of the patient. A questionnaire completed by the patient, whether via the internet or telephone, does not constitute an acceptable medical interview and examination for the provision of treatment by telehealth.”; and

Further amend said bill, Page 8, Section 192.667, Line 247, by inserting after all of said section and line the following:

“208.670. 1. As used in this section, these terms shall have the following meaning:

(1) “Provider”, any provider of medical services and mental health services, including all other medical disciplines;

(2) “Telehealth”, [the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient] **the same meaning as such term is defined in section 191.1145.**

2. Reimbursement for the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program shall be allowed for orthopedics, dermatology, ophthalmology and optometry, in cases of diabetic retinopathy, burn and wound care, dental services which require a diagnosis, and maternal-fetal medicine ultrasounds.

[2.] **3.** The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain [patient] **participant** consent before telehealth services are initiated and to ensure confidentiality of medical information.

[3.] **4.** Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

5. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program.

208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) “Asynchronous store-and-forward”, the transfer of a participant’s clinically important digital samples, such as still images, videos, audio, text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the participant and the participant’s treating provider;

(2) “Asynchronous store-and-forward technology”, cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;

(3) “Consultation”, a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;

(4) “Consulting provider”, a provider who, upon referral by the treating provider, evaluates a participant and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;

(5) “Distant site”, the site where a consulting provider is located at the time the consultation service is provided;

(6) “Originating site”, the site where a MO HealthNet participant receiving services and such participant’s treating provider are both physically located;

(7) “Provider”, any provider of medical, mental health, optometric, or dental health services, including all other medical disciplines, licensed and providing MO HealthNet services who has the authority to refer participants for medical, mental health, optometric, dental, or other health care services within the scope of practice and licensure of the provider;

(8) “Telehealth”, as that term is defined in section 191.1145;

(9) “Treating provider”, a provider who:

(a) Evaluates a participant;

(b) Determines the need for a consultation;

(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment; and

(d) Provides or supplements the participant’s history and provides pertinent physical examination findings and medical information to the consulting provider.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall include, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Timelines for completion and communication of a consulting provider’s consultation or opinion, or if the consulting provider is unable to render an opinion, timelines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Participant consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain participant consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for

a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for services provided in person.

208.673. 1. There is hereby established the “Telehealth Services Advisory Committee” to advise the department of social services and propose rules regarding the coverage of telehealth services in the MO HealthNet program utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

- (1) The director of the MO HealthNet division, or the director’s designee;
- (2) The medical director of the MO HealthNet division;
- (3) A representative from a Missouri institution of higher education with expertise in telehealth;
- (4) A representative from the Missouri office of primary care and rural health;
- (5) Two board-certified specialists licensed to practice medicine in this state;
- (6) A representative from a hospital located in this state that utilizes telehealth;
- (7) A primary care physician from a federally qualified health center (FQHC) or rural health clinic;
- (8) A primary care physician from a rural setting other than from an FQHC or rural health clinic;
- (9) A dentist licensed to practice in this state; and
- (10) A psychologist, or a physician who specializes in psychiatry, licensed to practice in this state.

3. Members of the committee listed in subdivisions (3) to (10) of subsection 2 of this section shall be appointed by the governor with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, three members to serve two-year terms, and three members to serve a one-year term as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

208.675. For purposes of the provision of telehealth services in the MO HealthNet program, the

following individuals, licensed in Missouri, shall be considered eligible health care providers:

- (1) Physicians, assistant physicians, and physician assistants;**
- (2) Advanced practice registered nurses;**
- (3) Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;**
- (4) Psychologists and provisional licensees;**
- (5) Pharmacists;**
- (6) Speech, occupational, or physical therapists;**
- (7) Clinical social workers;**
- (8) Podiatrists;**
- (9) Optometrists;**
- (10) Licensed professional counselors; and**
- (11) Eligible health care providers under subdivisions (1) to (10) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.**

208.677. 1. For purposes of the provision of telehealth services in the MO HealthNet program, the term “originating site” shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter. The standard of care in the practice of telehealth shall be the same as the standard of care for services provided in person. An originating site shall be one of the following locations:

- (1) An office of a physician or health care provider;**
- (2) A hospital;**
- (3) A critical access hospital;**
- (4) A rural health clinic;**
- (5) A federally qualified health center;**
- (6) A long-term care facility licensed under chapter 198;**
- (7) A dialysis center;**
- (8) A Missouri state habilitation center or regional office;**
- (9) A community mental health center;**
- (10) A Missouri state mental health facility;**
- (11) A Missouri state facility;**
- (12) A Missouri residential treatment facility licensed by and under contract with the children’s division. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed**

psychologists, and advanced practice registered nurses who are MO HealthNet providers shall be consulting providers at these locations;

- (13) A comprehensive substance treatment and rehabilitation (CSTAR) program;
- (14) A school;
- (15) The MO HealthNet recipient's home;
- (16) A clinical designated area in a pharmacy; or
- (17) A child assessment center as described in section 210.001.

2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.

208.686. 1. Subject to appropriations, the department shall establish a statewide program that permits reimbursement under the MO HealthNet program for home telemonitoring services. For the purposes of this section, "home telemonitoring service" shall mean a health care service that requires scheduled remote monitoring of data related to a participant's health and transmission of the data to a health call center accredited by the Utilization Review Accreditation Commission (URAC).

2. The program shall:

(1) Provide that home telemonitoring services are available only to persons who:

(a) Are diagnosed with one or more of the following conditions:

- a. Pregnancy;
- b. Diabetes;
- c. Heart disease;
- d. Cancer;
- e. Chronic obstructive pulmonary disease;
- f. Hypertension;
- g. Congestive heart failure;
- h. Mental illness or serious emotional disturbance;
- i. Asthma;
- j. Myocardial infarction; or
- k. Stroke; and

(b) Exhibit two or more of the following risk factors:

- a. Two or more hospitalizations in the prior twelve-month period;
- b. Frequent or recurrent emergency department admissions;
- c. A documented history of poor adherence to ordered medication regimens;
- d. A documented history of falls in the prior six-month period;

e. Limited or absent informal support systems;

f. Living alone or being home alone for extended periods of time;

g. A documented history of care access challenges; or

h. A documented history of consistently missed appointments with health care providers;

(2) Ensure that clinical information gathered by a home health agency or hospital while providing home telemonitoring services is shared with the participant's physician; and

(3) Ensure that the program does not duplicate any disease management program services provided by MO HealthNet.

3. If, after implementation, the department determines that the program established under this section is not cost effective, the department may discontinue the program and stop providing reimbursement under the MO HealthNet program for home telemonitoring services.

4. The department shall determine whether the provision of home telemonitoring services to persons who are eligible to receive benefits under both the MO HealthNet and Medicare programs achieves cost savings for the Medicare program.

5. If, before implementing any provision of this section, the department determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the department shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

6. The department shall promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

334.108. 1. Prior to prescribing any drug, controlled substance, or other treatment through **telemedicine, as defined in section 191.1145, or the internet, a physician shall establish a valid physician-patient relationship as described in section 191.1146. This relationship shall include:**

(1) Obtaining a reliable medical history and performing a physical examination of the patient, adequate to establish the diagnosis for which the drug is being prescribed and to identify underlying conditions or contraindications to the treatment recommended or provided;

(2) Having sufficient dialogue with the patient regarding treatment options and the risks and benefits of treatment or treatments;

(3) If appropriate, following up with the patient to assess the therapeutic outcome;

(4) Maintaining a contemporaneous medical record that is readily available to the patient and, subject to the patient's consent, to the patient's other health care professionals; and

(5) [Including] **Maintaining** the electronic prescription information as part of the patient's medical record.

2. The requirements of subsection 1 of this section may be satisfied by the prescribing physician's designee when treatment is provided in:

- (1) A hospital as defined in section 197.020;
- (2) A hospice program as defined in section 197.250;
- (3) Home health services provided by a home health agency as defined in section 197.400;
- (4) Accordance with a collaborative practice agreement as defined in section 334.104;
- (5) Conjunction with a physician assistant licensed pursuant to section 334.738;
- (6) **Conjunction with an assistant physician licensed under section 334.036;**

(7) Consultation with another physician who has an ongoing physician-patient relationship with the patient, and who has agreed to supervise the patient's treatment, including use of any prescribed medications; or

[(7)] (8) On-call or cross-coverage situations.

3. No health care provider, as defined in section 376.1350, shall prescribe any drug, controlled substance, or other treatment to a patient based solely on an evaluation over the telephone; except that, a physician, such physician's on-call designee, an advanced practice registered nurse in a collaborative practice arrangement with such physician, a physician assistant in a supervision agreement with such physician, or an assistant physician in a supervision agreement with such physician may prescribe any drug, controlled substance, or other treatment that is within his or her scope of practice to a patient based solely on a telephone evaluation if a previously established and ongoing physician-patient relationship exists between such physician and the patient being treated.

4. No health care provider shall prescribe any drug, controlled substance, or other treatment to a patient based solely on an internet request or an internet questionnaire.

335.175. 1. No later than January 1, 2014, there is hereby established within the state board of registration for the healing arts and the state board of nursing the "Utilization of Telehealth by Nurses". An advanced practice registered nurse (APRN) providing nursing services under a collaborative practice arrangement under section 334.104 may provide such services outside the geographic proximity requirements of section 334.104 if the collaborating physician and advanced practice registered nurse utilize telehealth in the care of the patient and if the services are provided in a rural area of need. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and ensure confidentiality of medical information.

2. As used in this section, "telehealth" [means the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient, as defined in section 208.670] **shall have the same meaning as such term is defined in section 191.1145.**

3. (1) The boards shall jointly promulgate rules governing the practice of telehealth under this section. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. For purposes of this section, “rural area of need” means any rural area of this state which is located in a health professional shortage area as defined in section 354.650.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

Section B. Because immediate action is necessary to ensure the provision of health care services for Missouri citizens, the enactment of section 191.1145 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 191.1145 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 838**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 664**.

Bill ordered enrolled

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 621**, entitled:

An Act to repeal sections 208.152, 208.670, 334.108, and 335.175, RSMo, and to enact in lieu thereof fourteen new sections relating to health care, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 2 to House Amendment No. 9, House Amendment No. 9, as

amended, and House Amendment No. 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 5, Section 191.1146, Line 20, by inserting after all of said section and line the following:

“192.380. 1. For purposes of this section, the following terms shall mean:

(1) “Birthing facility”, any hospital as defined under section 197.020 with more than one licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a birthing center licensed under sections 197.200 to 197.240;

(2) “Department”, the department of health and senior services;

(3) “Regional perinatal center”, a comprehensive maternal and newborn service for women who have been assessed as high-risk patients or are bearing high-risk babies, as determined by a standardized risk assessment tool, who will require the highest specialized care. Centers may be comprised of more than one licensed facility.

2. There is hereby created the “Perinatal Advisory Council” which shall be composed of representatives from the following organizations representing diverse geographic regions of the state who shall focus on and have experience in maternal and infant health, one of which shall be elected chair by a majority of the members, to be appointed by the governor with the advice and consent of the senate:

(1) One physician practicing obstetrics representing the Missouri Section of the American Congress of Obstetricians and Gynecologists;

(2) One practicing physician from the Missouri Chapter of the American Academy of Pediatrics Section of Perinatal Pediatrics;

(3) One representative from the March of Dimes;

(4) One representative from the National Association for Nurse Practitioners in Women’s Health;

(5) One representative from the Missouri affiliate of the American College of Nurse-Midwives;

(6) One representative from the Missouri Section of the Association of Women’s Health, Obstetric and Neonatal Nurses;

(7) One representative from the Missouri Chapter of the National Association of Neonatal Nurses;

(8) One family physician practicing obstetrics from the Missouri Academy of Family Physicians;

(9) One representative from a community coalition engaged in infant mortality prevention;

(10) Four representatives from regional Missouri hospitals with one representative from a hospital with neonatal care equivalent to each level;

(11) One practicing physician from the Society for Maternal-Fetal Medicine;

(12) One representative from a free-standing birthing center licensed under sections 197.200 to 197.240;

(13) Five active community-based physicians specializing in obstetrics or gynecology, family medicine practicing obstetrics, or perinatal pediatrics representing the regional diversity of the state;

(14) One representative from the show-me extension for community health care outcomes (ECHO) program; and

(15) One representative from a federally qualified health center.

The director of the department of health and senior services and the director of the department of social services or their designees shall serve as ex officio members of the council and shall not have a vote. The department shall provide necessary staffing support to the council.

3. After holding multiple public hearings in diverse geographic regions of the state and seeking broad public and stakeholder input, the perinatal advisory council shall make recommendations in the best interest of patients for the division of the state into neonatal and maternal care regions. When making such recommendations, the council shall consider:

(1) Geographic proximity of facilities;

(2) Hospital systems;

(3) Insurance networks;

(4) Consistent geographic boundaries for neonatal and maternal care regions, if appropriate; and

(5) Existing referral networks and referral patterns to appropriate birthing facilities.

4. The perinatal advisory council shall establish criteria for levels of maternal care designations and levels of neonatal care designations for birthing facilities and regional perinatal centers. The levels developed under this section shall be based upon:

(1) The most current published version of the “Levels of Neonatal Care” developed by the American Academy of Pediatrics;

(2) The most current published version of the “Levels of Maternal Care” developed by the American Congress of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine; and

(3) Necessary variance when considering the geographic and varied needs of citizens of this state.

5. Nothing in this section shall be construed in any way to modify or expand the licensure of any health care professional.

6. Nothing in this section shall be construed in any way to require a patient be transferred to a different facility.

7. The department shall promulgate rules to implement the provisions of this section no later than January 1, 2017. Such rules shall be limited to those necessary for the establishment of levels of neonatal care designations and levels of maternal care designations for birthing facilities and regional perinatal centers under subsection 4 of this section and the division of the state into neonatal and maternal care regions under subsection 3 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become

effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Beginning January 1, 2018, any hospital with a birthing facility shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 4 of this section.

9. Beginning January 1, 2018, any hospital with a birthing facility operated by a state university shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 4 of this section.

10. Nothing in this section shall be construed to impose liability for referral or failure to refer in accordance with the recommendations of the perinatal advisory council.

11. The department may partner with appropriate nationally recognized professional organizations with demonstrated expertise in maternal and neonatal standards of care to administer the provisions of this section.

12. The criteria for levels of maternal and neonatal care developed under subsection 4 of this section shall not include pregnancy termination or counseling or referral for pregnancy termination.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 22, Section 335.175, Line 33, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(2) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making

authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician's designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient's personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(6) An adult who can demonstrate that he or she has a close personal relationship with the patient

and is familiar with the patient's personal values; or

(7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under

subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of

pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or

terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 20, Section 208.686, Line 55, by inserting after all of said section and line the following:

“324.001. 1. For the purposes of this section, the following terms mean:

(1) “Department”, the department of insurance, financial institutions and professional registration;

(2) “Director”, the director of the division of professional registration; and

(3) “Division”, the division of professional registration.

2. There is hereby established a “Division of Professional Registration” assigned to the department of insurance, financial institutions and professional registration as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

3. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board's records current. Each board or commission shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care

provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

4. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. “Issuance and renewal of licenses and certificates” means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant’s qualifications for licensure or certification, or the subsequent review of licensee’s or certificate holder’s qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

5. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor’s office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board’s funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

6. For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the “Professional Registration Fees Fund”, which is hereby created, and is to be used solely for the purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it from each board’s fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection 5 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

7. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

8. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-

client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

9. Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

10. A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

11. (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically

included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of insurance, financial institutions and professional registration. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

12. All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

13. Wherever the laws, rules, or regulations of this state make reference to the “division of professional registration of the department of economic development”, such references shall be deemed to refer to the division of professional registration.

14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state committee of psychologists, state board of chiropractic examiners, state board of optometry, Missouri board of occupational therapy, or state board of registration for the healing arts may individually or collectively enter into a contractual agreement with the department of health and senior services, a public institution of higher education, or a nonprofit entity for the purpose of collecting and analyzing workforce data from its licensees, registrants, or permit holders for future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri. The boards shall work collaboratively with other state governmental entities to ensure coordination and avoid duplication of efforts.

(2) The boards may expend appropriated funds necessary for operational expenses of the program formed under this subsection. Each board is authorized to accept grants to fund the collection or analysis authorized in this subsection. Any such funds shall be deposited in the respective board’s fund.

(3) Data collection shall be controlled and approved by the applicable state board conducting or requesting the collection. Notwithstanding the provisions of section 334.001, the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce including, but not limited to, geographic, demographic, and practice or professional characteristics of licensees. The state board shall not request or be authorized to collect income or other financial earnings data.

(4) Data collected under this subsection shall be deemed the property of the state board requesting the data. Data shall be maintained by the state board in accordance with chapter 610, provided that any information deemed closed or confidential under subsection 8 of this section or any other

provision of state law shall not be disclosed without consent of the applicable licensee or entity or as otherwise authorized by law. Data shall only be released in an aggregate form by geography, profession or professional specialization, or population characteristic in a manner that cannot be used to identify a specific individual or entity. Data suppression standards shall be addressed and established in the contractual agreement.

(5) Contractors shall maintain the security and confidentiality of data received or collected under this subsection and shall not use, disclose, or release any data without approval of the applicable state board. The contractual agreement between the applicable state board and contractor shall establish a data release and research review policy to include legal and institutional review board, or agency equivalent, approval.

(6) Each board may promulgate rules subject to the provisions of this subsection and chapter 536 to effectuate and implement the workforce data collection and analysis authorized by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 3, Section 191.596, Line 38, by inserting after all of said section and line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-

focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate; and

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in section 191.1085.

6. The council shall submit an annual report to the general assembly, which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities

including, but not limited to:

- (1) Continuing education opportunities for health care providers;
 - (2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and
 - (3) Consumer educational materials and referral information for palliative care, including hospice.
4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.
5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.
6. The department shall consult with the palliative care and quality of life interdisciplinary council established in section 191.1080 in implementing the section.
7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.
8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 5, Section 191.1146, Line 20, by inserting after all of said section and line the following:

“195.430. 1. There is hereby established in the state treasury the “Controlled Substance Abuse Prevention Fund”, which shall consist of all fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner

as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. All fees authorized to be charged by the department shall be transmitted to the department of revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and to prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.

195.435. The bureau of narcotics and dangerous drugs shall employ no less than one investigator for every two thousand five hundred controlled substance registrants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 20, Section 208.686, Line 55, by inserting immediately after said line the following:

“334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse’s skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where

the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived [for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210,] as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. [This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested]; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this

subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to [specifying geographic areas to be covered,] the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other

physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than [three] **five** full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 2, Line 10, by deleting all of said line and inserting in lieu thereof the following:

“197.258. 1. In addition to any survey pursuant to sections 197.250 to 197.280, the department may make such surveys as it deems necessary during normal business hours. The department shall survey every hospice not less than [once annually] **every three years**. The hospice shall permit the department's representatives to enter upon any of its business premises during normal business hours for the purpose of a survey.

2. As a part of its survey of a hospice, the department may visit the home of any client of such hospice with such client's consent.

3. In lieu of any survey required by sections 197.250 to 197.280, the department may accept in whole or in part the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

(1) Is comparable in scope and method to the department's surveys; and

(2) Is conducted within one year of initial application for or renewal of the hospice's certificate.

4. The department shall not be required to survey any hospice providing service to Missouri residents through an office located in a state bordering Missouri if such bordering state has a reciprocal agreement with Missouri on hospice certification and the area served in Missouri by the agency is contiguous to the area served in the bordering state.

5. Any hospice which has its parent office in a state which does not have a reciprocal agreement with Missouri on hospice certification shall maintain a branch office in Missouri. Such branch office shall maintain all records required by the department for survey and shall be certificated as a hospice.

198.054. Each year between October first and March first, all long-term care facilities"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 1, Section 9.154, Line 11, by inserting after all of said section and line the following:

"167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices; [and]**

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public

institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention**, unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education."; and

Further amend said bill, Page 5, Section 191.1146, Line 20, by inserting after all of said section and line the following:

"198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 5, Section 191.1146, Line 20, by inserting after all of said line the following:

"197.170. 1. This section shall be known and may be cited as the "Health Care Cost Reduction and Transparency Act".

2. As used in this section, the following terms shall mean:

(1) "Ambulatory surgical center", as such term is defined under section 197.200;

(2) "Direct payment", as such term is defined under section 1.330;

(3) "Health care provider", the same meaning as such term is defined under section 376.1350. "Health care provider" shall also include any provider located in a Kansas border county, as defined

under section 135.1670, who participates in the MO HealthNet program;

(4) “Hospital”, as such term is defined under section 197.020;

(5) “Imaging center”, any facility at which diagnostic imaging services are provided including, but not limited to, magnetic resonance imaging (MRI);

(6) “Medical treatment plan”, a patient-specific plan of medical treatment for a particular illness, injury, or condition determined by such patient’s physician, which includes the applicable current procedural terminology (CPT) code or codes.

3. Beginning July 1, 2018, ambulatory surgical centers and imaging centers shall make available to the public, in a manner that is easily understood, an estimate of the most current direct payment price information for the twenty-five most common surgical procedures or the twenty most common imaging procedures, as appropriate, performed in ambulatory surgical centers or imaging centers. Disclosure of data under this subsection shall constitute compliance with subsection 5 of this section regarding any surgical or imaging procedure for which disclosure is required under this subsection.

4. Not later than July 1, 2017, hospitals shall make available to the public, in a manner that is easily understood, the amount that would be charged without discounts for each the one hundred most prevalent diagnosis-related groups as defined by the Medicare program, Title XVIII of the Social Security Act. The diagnosis-related groups shall be described in layman’s language suitable for use by reasonably informed patients. Disclosure of data under this subsection shall constitute compliance with subsection 5 of this section regarding any diagnosis-related group for which disclosure is required under this subsection.

5. Upon written request by a patient, which shall include a medical treatment plan from the patient’s physician, for the direct payment cost of a particular health care service or procedure, imaging procedure, or surgery procedure, a health care provider, hospital, ambulatory surgical center, or imaging center shall provide an estimate of the direct payment price information required by this section to the patient in writing either electronically, by mail, or in person, within three business days after receiving the written request. Providing a patient a specific link to such estimated prices and making such estimated prices publicly available or posting such estimated prices on a website of the health care provider, hospital, ambulatory surgical center, or imaging center shall constitute compliance with the provisions of this subsection.

6. No health care provider shall be required to report the information required by this section if the reporting of such information reasonably could lead to the identification of the person or persons receiving health care services or procedures in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law. This section shall not apply to emergency departments, which shall comply with requirements of the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. 1395dd.

7. It shall be a condition of participation in the MO HealthNet program for a health care provider located in a Kansas border county, as defined under section 135.1670, to comply with the provisions of this section.”; and

Further amend said bill, Page 22, Section 335.175, Line 33, by inserting after all of said line the following:

“376.1475. 1. This section shall be known and may be cited as the “Predetermination of Health Care Benefits Act”.

2. For the purposes of this section, the following terms shall mean:

(1) “Administrative simplification provision”, transaction and code standards promulgated under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, and 45 CFR 160 and 162;

(2) “Director”, the director of the department of insurance, financial institutions and professional registration;

(3) “Health benefit plan” and “health care provider”, the same meanings as those terms are defined in section 376.1350;

(4) “Health care clearinghouse”, the same meaning as the term is defined in 45 CFR 160.103;

(5) “Payment”, a deductible or coinsurance payment and shall not include a co-payment;

(6) “Standard electronic transactions”, electronic claim and remittance advice transactions created by the Accredited Standards Committee (ASC) X12 in the format of ASC X12 837I, ASC X12 837P, or ASC X12 835, or any of their respective successors.

3. Health benefit plans that receive an electronic health care predetermination request from a health care provider consistent with the requirements set forth in subsection 6 of this section shall provide the requesting health care provider with information on the amount of expected benefits coverage on the procedures specified in the request that is accurate at the time of the health benefit plan’s response.

4. Any predetermination response provided by a health benefit plan under this section in good faith shall be deemed to be an estimate only and shall not be binding upon the health benefit plan with regard to the final amount of benefits actually provided by the health benefit plan.

5. The amounts for the referenced services under subsection 3 of this section shall include:

(1) The amount the patient will be expected to pay, clearly identifying any deductible amount, coinsurance, and co-payment;

(2) The amount the health care provider will be paid;

(3) The amount the institution will be paid; and

(4) Whether any payments will be reduced, but not to zero dollars, or increased from the agreed fee schedule amounts, and if so, the health care policy that identifies why the payments will be reduced or increased.

6. The health care predetermination request and predetermination response shall be conducted in accordance with administrative simplification provisions using the currently applicable standard electronic transactions, without regard to whether the transaction is mandated by HIPAA. It shall also comply with any rules promulgated by the director, without regard to whether such rules are mandated by HIPAA. To the extent HIPAA-mandated electronic claim and remittance transactions are modified to include predetermination, the provisions of this section shall not apply to health

benefit plans which provide this information under HIPAA.

7. The health benefit plan's predetermination response to the health care predetermination request shall be returned using the same transmission method as that of the request. This shall include a real time response for a real time request.

8. A health care clearinghouse that contracts with a health care provider shall be required to conduct a transaction as described in subsections 5, 6, and 7 of this section if requested by the health care provider.

9. Nothing in this act precludes the collection of payment prior to receiving health benefit services once a health benefit plan has fulfilled any predetermination request.

10. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policy of six months or less duration, or any other supplemental policy.

11. The director shall adopt rules and regulations necessary to carry out the provisions of this section.

12. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill, Page 23, Section B, Line 6, by inserting after all of said line the following:

“Section C. Section 376.1475 of Section A of this act shall become effective July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9**

Amend House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 1, Line 12, by inserting immediately after all of said line the following:

“Further amend said bill, Page 22, Section 335.175, Line 33, by inserting immediately after all of said line the following:

“376.525 The highest rate that a health care provider shall accept as payment in full for health care services from an uninsured individual or an individual not utilizing insurance to pay for such services shall be no greater than the lowest rate that the provider accepts from a health carrier or Medicare as payment in full for the same or similar health care services.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 1, Line 3, by inserting after all of said section and line the following:

“Further amend said bill, Page 3, Section 191.596, Line 38, by inserting after all of said section and line the following:

“191.875. 1. This section shall be known as the “Health Care Cost Reduction and Transparency Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “DRG”, diagnosis related group;

(3) “Estimate of cost”, an estimate based on the information entered and assumptions about typical utilization and costs for health care services. Such estimates of cost shall encompass only those services within the direct control of the health care provider and shall include the following:

(a) The amount that will be charged to a patient for the health services if all charges are paid in full without a public or private third party paying for any portion of the charges;

(b) The average negotiated settlement on the amount that will be charged to a patient required to be provided in paragraph (a) of this subdivision;

(c) The amount of any MO HealthNet reimbursement for the health care services, including claims and pro rata supplemental payments, if known;

(d) The amount of any Medicare reimbursement for the medical services, if known; and

(e) The amount of any insurance copayments for the health benefit plan of the patient, if known;

(4) “Health care provider”, any ambulatory surgical center, assistant physician, chiropractor, clinical psychologist, dentist, hospital, long-term care facility, nurse anesthetist, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, registered nurse, or other licensed health care facility or professional providing health care services in this state. In addition, a health care provider shall also include any provider located in a Kansas border county, as defined in section 135.1670, who participates in the MO HealthNet program. To participate in the MO HealthNet program such provider shall comply with the provisions of this section. If such provider, for any reason, does not comply with such condition of participation, then a health care provider, as defined in this section, shall not include any provider located in a Missouri border county, as defined in section 135.670.;

(5) “Health carrier”, an entity as such term is defined under section 376.1350;

(6) “Hospital”, as such term is defined under section 197.020;

(7) “Insurance costs”, an estimate of cost of covered services provided by a health carrier based on a specific insured’s coverage and health care services to be provided. Such insurance cost shall

include:

- (a) The average negotiated reimbursement amount to any health care provider;
- (b) Any deductibles, copayments, or coinsurance amounts, including those whose disclosure is mandated under section 376.446; and
- (c) Any amounts not covered under the health benefit plan;
- (8) “Public or private third party”, a state government, the federal government, employer, health carrier, third-party administrator, or managed care organization.

3. On or after July 1, 2017, any patient or consumer of health care services who makes a written request for an estimate of the cost of health care services from a health care provider shall be provided such estimate no later than five business days after receiving such request, except when the requested information is posted on the department’s website under subsection 8 of this section. Any patient or consumer of health care services who makes a written request for the insurance costs from such patient’s or consumer’s health carrier shall be provided such insurance costs no later than five business days after receiving such request. The provisions of this subsection shall not apply to emergency health care services.

4. Health care providers, and the department under subsection 8 of this section, shall include with any estimate of costs the following: “Your estimated cost is based on the information entered and assumptions about typical utilization and costs. The actual amount billed to you may be different from the estimate of costs provided to you. Many factors affect the actual bill you will receive, and this estimate of costs does not account for all of them. Additionally, the estimate of costs is not a guarantee of insurance coverage. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. Please check with your insurance company to receive an estimate of the amount you will owe under your plan or if you need help understanding your benefits for the service chosen.”.

5. Health carriers shall include with any insurance costs the following: “Your insurance costs are based on the information entered and assumptions about typical utilization and costs. The actual amount of insurance costs and the amount billed to you may be different from the insurance costs provided to you. Many factors affect the actual insurance costs, and the insurance costs provided do not account for all of them. Additionally, the insurance costs provided are limited to the specific information provided and are not a guarantee of insurance coverage for additional services. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. You may contact us if you need further assistance in understanding your benefits for the service chosen.”.

6. Each health care provider shall also make available the percentage or amount of any discounts for cash payment of any charges incurred through the health care provider’s website or by making it available at the health care provider’s location.

7. Nothing in this section shall be construed as violating any health care provider contract provisions with a health carrier that prohibit disclosure of the health care provider’s fee schedule with a health carrier to third parties.

8. The department shall make available to the public on its website the most current price information it receives from hospitals under subsections 9 and 10 of this section. The department shall provide this information in a manner that is easily understood by the public and meets the following minimum requirements:

- (1) Information for each participating hospital shall be listed separately and hospitals shall be listed in groups by category as determined by the department in rules adopted under this section; and**
- (2) Information for each hospital outpatient department shall be listed separately.**

9. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in the manner and format determined by the department, the following information about the one hundred most frequently reported admissions by DRG for inpatients as established by the department:

- (1) The amount that will be charged to a patient for each DRG if all charges are paid in full without a public or private third party paying for any portion of the charges;**
- (2) The average negotiated settlement on the amount that will be charged to a patient required to be provided in subdivision (1) of this subsection;**
- (3) The amount of MO HealthNet reimbursement for each DRG, including claims and pro rata supplemental payments; and**
- (4) The amount of Medicare reimbursement for each DRG.**

A hospital shall not report or be required to report the information required by this subsection for any of the one hundred most frequently reported admissions where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law.

10. Beginning with the quarter ending June 30, 2017, and quarterly thereafter, each participating hospital shall provide to the department, in a manner and format determined by the department, information on the total costs for the twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in hospital outpatient settings. Participating hospitals shall report this information in the same manner as required by subsection 9 of this section, provided that hospitals shall not report or be required to report the information required by this subsection where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of HIPAA or other federal law.

11. A hospital shall provide the information specified under subsections 9 and 10 of this section to the department. A hospital which does so shall not be required to provide that information pursuant to subsection 3 of this section.

12. Any data disclosed to the department by a hospital under subsections 9 and 10 of this section shall be the sole property of the hospital that submitted the data. Any data or product derived from the data disclosed under subsections 9 and 10 of this section, including a consolidation or analysis of the data, shall be the sole property of the state. Any proprietary information received by the

department shall be a proprietary interest and may be closed under the provisions of subdivision (15) of section 610.021. The department shall not allow information it receives or discloses under subsections 9 and 10 of this section to be used by any person or entity for commercial purposes.

13. The department shall promulgate rules to implement the provisions of this section. The rules relating to subsections 8 to 12 of this section shall include all of the following:

(1) The one hundred most frequently reported DRGs for inpatients for which participating hospitals will provide the data required under subsection 9 of this section;

(2) Specific categories by which hospitals shall be grouped for the purpose of disclosing this information to the public on the department's website; and

(3) The twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in a hospital outpatient setting required under subsection 10 of this section.

Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 5, Section 191.1146, Line 20, by inserting after all of said section and line the following:

“192.500. 1. For purposes of this section, the following terms shall mean:

(1) “Cone beam computed tomography system”, a medical imaging device using x-ray computed tomography to capture data using a cone-shaped x-ray beam;

(2) “Panoramic x-ray system”, an imaging device that captures the entire mouth in a single, two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and tissues.

2. Cone beam computed tomography systems and panoramic x-ray systems shall not be required to be inspected more frequently than every six years.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10**

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 1, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“municipality in which such hospital is located.

105.263. 1. Any employee of the state of Missouri shall be granted ten consecutive work days of paid parental leave for the birth of a child of the employee or because of the finalization of an adoption by the employee of a child who is under two years of age. Such paid parental leave shall be separate from any other type of paid leave granted to such employee.

2. An employee eligible to take the paid leave described under subsection 1 of this section shall not be required to use all or any portion of any accrued vacation leave, accrued sick leave, or other type of accrued leave before being allowed to use the paid leave described under subsection 1 of this section.

3. An employee who intends to take the paid leave described under subsection 1 of this section shall provide reasonable notice of such intent to his or her supervisor.

4. The commissioner of administration may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and”; and

Further amend said amendment, Page 2, Line 38, by deleting all of said line and inserting in lieu thereof the following:

“its research or teaching missions.

205.165. 1. The board of trustees of any hospital authorized under subsection 1 of this section and organized under the provisions of sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.

2. The provisions of this section shall only apply if the hospital:

(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and

(2) Receives less than one percent of its annual revenues from county or state taxes.”; and

Further amend said bill, Page 14, Section 208.670, Line 8, by deleting the word **“only”**; and

Further amend said bill, Page 15, Section 208.671, Line 25, by deleting the words **“in this state”** and inserting in lieu thereof the words **“and providing MO HealthNet services”**; and

Further amend said bill, Page 19, Section 208.677, Line 21, by deleting the word **“enrolled”**; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 621, Page 1, Section

9.154, Line 11, by inserting after all of said section and line the following:

“96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital’s funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.”; and

Further amend said bill, Page 5, Section 191.1146, Line 20, by inserting after all of said line the following:

“197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from

the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; **or**

(2) **Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, Sandy George, Houston; and Treena and Doyle Heiney, Summersville.

Senator Richard introduced to the Senate, Sheriff Randee Kaiser, Jasper County.

Senator Onder introduced to the Senate, former State Senator Chuck Gross.

Senator Riddle introduced to the Senate, Nancy Heimann, Susan McNay and a delegation from Hungary.

Senator Pearce introduced to the Senate, Jan and Lindel Jones, Johnson County.

Senator Schmitt introduced to the Senate, Regina Rideout and her daughter, Maya, Fenton; and Maya was made an honorary page.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SIXTH DAY—THURSDAY, APRIL 21, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 2667-Shumake

HCS for HBs 2069 & 2371

HCS for HBs 2045 & 2316

HB 1811-Hicks

HCS for HB 1858

HCS for HB 1632

HB 1443-Leara

HCS for HB 2379

HB 2605-Lauer

HB 2217-Morris

HB 1972-Crawford

HB 1611-Swan

HCS for HB 2017

HCS for HB 2018

THIRD READING OF SENATE BILLS

1. SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)

2. SCS for SB 998-Romine
(In Fiscal Oversight)

3. SCS for SB 968-Brown
(In Fiscal Oversight)

4. SCS for SB 904-Pearce
(In Fiscal Oversight)

5. SB 873-Pearce (In Fiscal Oversight)

6. SB 577-Keaveny

7. SS for SCS for SB 801-Sater

8. SS for SB 612-Cunningham

- 9. SB 869-Schmitt
- 10. SS for SCS for SB 1057-Schaaf
- 11. SB 1139-Silvey, et al
- 12. SB 658-Wasson
- 13. SB 941-Dixon
- 14. SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

- 15. SS for SB 619-Wallingford
- 16. SB 576-Keaveny
- 17. SS#2 for SCS for SB 590-Dixon
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight) | 7. HB 1795-Haefner, with SCS (Sater)
(In Fiscal Oversight) |
| 2. HB 1568-Lynch (Brown)
(In Fiscal Oversight) | 8. HCS for HB 2187, with SCS
(Cunningham) (In Fiscal Oversight) |
| 3. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 9. HCS for HB 1904, with SCS
(Wallingford) (In Fiscal Oversight) |
| 4. HB 1698-Rowden, with SCS (Sater)
(In Fiscal Oversight) | 10. HB 1745-Brattin, with SCS (Schatz)
(In Fiscal Oversight) |
| 5. HCS for HB 2030, with SCS (Silvey)
(In Fiscal Oversight) | 11. HCS for HB 1717 (Wallingford) |
| 6. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 12. HCS for HB 1804, with SCS (Emery) |
| | 13. HCS for HB 2689 (Silvey) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 622-Romine, with SCS |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 644-Onder, with SCS |
| SB 596-Kraus, with SCS | SBs 662 & 587-Dixon, with SCS |
| SB 613-Cunningham, et al, with SCS | SB 663-Dixon, with SCS & SA 1 (pending) |
| | SB 680-Emery |

SB 686-Wallingford, with SCS	SB 898-Cunningham
SB 706-Dixon	SB 908-Sater, with SCS
SB 719-Emery, with SCS	SB 916-Schaefer
SB 733-Dixon	SB 920-Schmitt and Kraus
SB 734-Dixon	SB 951-Wasson, with SA 1 (pending)
SB 771-Onder	SB 964-Wallingford, with SCS (pending)
SB 772-Onder, with SCS	SB 966-Schaaf
SB 774-Schmitt	SB 972-Silvey
SB 775-Schaefer	SB 980-Keaveny, with SCS, SS for SCS,
SB 785-Schaefer, with SCS, SS for SCS,	SA 1 & SA 3 to SA 1 (pending)
SA 1, SSA 1 for SA 1, SA 1 to SSA 1	SB 995-Riddle
for SA 1 & point of order (pending)	SB 1003-Onder
SB 788-Schatz, with SCS	SB 1004-Onder
SBs 789 & 595-Wasson, with SCS	SB 1005-Walsh
SB 792-Richard	SBs 1010, 958 & 878-Curls, with SCS
SB 793-Richard	SB 1012-Dixon
SB 798-Kraus, with SCS	SB 1014-Dixon
SB 802-Sater	SB 1026-Schatz, with SCS
SB 805-Onder, with SCS	SB 1028-Silvey, et al, with SCS
SB 806-Onder, with SCS	SB 1033-Pearce
SB 812-Keaveny	SB 1066-Curls
SB 816-Wieland, et al	SB 1074-Schmitt, with SCS
SB 825-Munzlinger, with SA 1 (pending)	SB 1075-Wallingford
SB 830-Wasson, with SCS	SB 1085-Pearce
SB 848-Emery, with SCS	SB 1091-Riddle
SBs 851 & 694-Brown, with SCS	SB 1094-Kehoe, with SCS
SB 853-Brown	SB 1096-Dixon and Keaveny, with SS
SB 858-Romine, with SCS & SS for SCS	(pending)
(pending)	SB 1117-Wasson, with SCS
SB 868-Wasson	SB 1120-Hegeman, et al
SB 871-Wallingford	SB 1131-Sifton
SB 883-Riddle	SB 1144-Brown
SB 884-Munzlinger	SJR 23-Sater, with SS (pending)
SB 894-Munzlinger, with SS (pending)	SJR 35-Kraus, with SCS
SB 896-Hegeman	

HOUSE BILLS ON THIRD READING

HB 1414-Houghton, with SCS (pending)	HB 1452-Hoskins, with SCS (Pearce)
(Munzlinger)	HCS for HB 1477 (Munzlinger)

HCS for HB 1550, with SCS & SS for SCS
 (pending) (Sater)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HB 1619-McCaherty (Dixon)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 1 (pending) (Kraus)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HCS for HB 1729 (Munzlinger)

HB 1733-Davis (Kraus)
 SS for HCS for HB 1877 (Wallingford)
 (In Fiscal Oversight)
 HCS for HB 2013 (Schaefer)
 HB 2125-Fitzwater, with SCS (Schmitt)
 HB 2166-Alferman, with SCS, SS#2 for
 SCS, SA 1 & SSA 1 for SA 1
 (pending) (Onder)
 HB 2226-Barnes (Silvey)
 HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
 HB 2428-Swan (Pearce)
 HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)
 HB 1559-McCann Beatty (Curls)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)

HB 1473-Dugger, with SCS (Wasson)
 HCS for HB 1480 (Hegeman)
 HB 1388-Roeber (Dixon)
 HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 579-Schaaf, et al, with HAs 1 & 2

SS for SB 621-Romine, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2002, with SCS (Schaefer)
 HCS for HB 2003, with SCS (Schaefer)

HCS for HB 2004, with SCS (Schaefer)
 HCS for HB 2005, with SCS (Schaefer)

HCS for HB 2006, with SCS (Schaefer)
HCS for HB 2007, with SCS (Schaefer)
HCS for HB 2008, with SCS (Schaefer)
HCS for HB 2009, with SCS (Schaefer)
HCS for HB 2010, with SCS, as amended
(Schaefer)

HCS for HB 2011, with SCS (Schaefer)
HCS for HB 2012, with SCS (Schaefer)
HCS for HB 2014, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman

SCR 56-Brown
SCR 59-Emery
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer

To be Referred

HCR 61-Engler

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SIXTH DAY—THURSDAY, APRIL 21, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the lord for he is good for his steadfast love endures forever.” (Psalm 136:1)

Blessed Lord, we do thank You for all You do for us and pray that as we finish this day You will watch over our traveling. Keep us mindful of our responsibilities as we drive and encounter others on the road. Control our disposition so another’s foolishness or rage does not have us respond in kind. And we ask that You bring us safely home to those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 2038, regarding Dennis G. Dakan, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2039, regarding Larry R. Rose, Mound City, which was adopted.

Senator Wieland offered Senate Resolution No. 2040, regarding Eagle Scout Luke Aaron Johns, which was adopted.

Senator Schupp offered Senate Resolution No. 2041, regarding the Ninety-ninth Birthday of Vivian Zwick, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS No. 2** for **SCS** for **SB 590**; **SCS** for **SB 968**; **SCS** for **SB 904**; and **SB 873**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 968**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 968**

An Act to repeal sections 173.234 and 173.900, RSMo, and to enact in lieu thereof three new sections relating to tuition rates for members of the military, with an emergency clause for a certain section.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 968** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Hegeman—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 904, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 904

An Act to repeal sections 162.720, 162.1115, and 163.031, RSMo, and to enact in lieu thereof six new sections relating to gifted education, with a delayed effective date for a certain section.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS for SB 904** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Riddle assumed the Chair.

SB 873, introduced by Senator Pearce, entitled:

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof three new sections relating to the science, technology, engineering and mathematics fund.

Was taken up.

On motion of Senator Pearce, **SB 873** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 577, introduced by Senator Keaveny, entitled:

An Act to repeal sections 404.717, 456.590, 456.3-304, 456.4B-411, 456.7-706, 469.467, and 473.050, RSMo, and to enact in lieu thereof six new sections relating to estate planning.

Was taken up.

On motion of Senator Keaveny, **SB 577** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater

Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 801, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 801

An Act to repeal section 475.024, RSMo, and to enact in lieu thereof nine new sections relating to guardianships.

Was taken up.

On motion of Senator Sater, **SS for SCS for SB 801** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for **SB 612**, introduced by Senator Cunningham, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 612**

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions and an effective date.

Was taken up.

On motion of Senator Cunningham, **SS** for **SB 612** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Nasheed	Schupp	Walsh—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 869, introduced by Senator Schmitt, entitled:

An Act to repeal sections 70.210 and 99.845, RSMo, and to enact in lieu thereof two new sections relating to sheltered workshops.

Was taken up.

On motion of Senator Schmitt, **SB 869** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 1057, introduced by Senator Schaaf, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1057

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Was taken up.

On motion of Senator Schaaf, **SS for SCS for SB 1057** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 1139, introduced by Senator Silvey, et al, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the John Jordan “Buck” O’Neil memorial bridge.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SB 1139** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 658, introduced by Senator Wasson, entitled:

An Act to repeal section 541.033, RSMo, and to enact in lieu thereof one new section relating to the county in which certain offenses are prosecuted.

Was taken up.

On motion of Senator Wasson, **SB 658** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 941, introduced by Senator Dixon, entitled:

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to the regulation of proprietary schools.

Was taken up.

On motion of Senator Dixon, **SB 941** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 619, introduced by Senator Wallingford, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 619

An Act to repeal sections 192.2425 and 565.186, RSMo, and to enact in lieu thereof two new sections relating to investigations of elder abuse.

Was taken up.

On motion of Senator Wallingford, **SS for SB 619** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 576, introduced by Senator Keaveny, entitled:

An Act to repeal sections 404.710, 456.023, 456.5-508, and 469.060, RSMo, and to enact in lieu thereof thirty-six new sections relating to powers of appointment.

Was taken up.

On motion of Senator Keaveny, **SB 576** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SB 590**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 590

An Act to repeal sections 192.2260, 192.2405, 211.059, 217.360, 217.670, 217.690, 217.722, 301.559, 304.351, 311.310, 339.100, 400.9-501, 541.033, 562.014, 565.020, 565.030, 565.032, 565.040, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 579.015, 632.520, and 650.055, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no.

491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof fifty-four new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Was taken up.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **SB 590** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Nasheed	Schaaf	Schupp	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Nasheed	Schaaf	Schupp	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 1780** and **1420**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 2234** and **1985**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1678**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 1646, 2132** and **1621**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HBs 1434** and **1600**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1472**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1479**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1682**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1721**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 2397**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 2332**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1936**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 2590**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1584**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1530**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1763**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 2257**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 2429**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 795**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1435**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 1076**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS for HB 1850**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1565**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS for HB 1599**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 2355**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS for HB 1696**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1892**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 2230**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 1976**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle assumed the Chair.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 60**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 69**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 63**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 68**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 2667—Transportation, Infrastructure and Public Safety.

HCS for **HBs 2069 & 2371**—Seniors, Families and Children.

HCS for **HBs 2045 & 2316**—Financial and Governmental Organizations and Elections.

HB 1811—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1858**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1632**—Financial and Governmental Organizations and Elections.

HB 1443—General Laws and Pensions.

HCS for HB 2379—Education.

HB 2605—Seniors, Families and Children.

HB 2217—Small Business, Insurance and Industry.

HB 1972—Judiciary and Civil and Criminal Jurisprudence.

HB 1611—Education.

HCS for HB 2017—Appropriations.

HCS for HB 2018—Appropriations.

REFERRALS

President Pro Tem Richard referred **HCR 61** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Kehoe, the Senate recessed until 12:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HCR 57**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 57

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

WHEREAS, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

WHEREAS, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

BE IT FURTHER RESOLVED that the General Assembly adopts this application with the following understandings (as the term “understandings” is used within the context of “reservations, understandings, and declarations”):

(1) An application to Congress for an Article V convention confers no power on Congress other than to perform a ministerial function to “call” for a convention;

(2) This ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states;

(3) The power of Congress to “call” a convention solely consists of the authority to name a reasonable time and place for the initial meeting of the convention;

(4) Congress possesses no power whatsoever to name delegates to the convention, as this power remains exclusively within the authority of the legislatures of the several states;

(5) Congress possesses no power to set the number of delegates to be sent by any states;

(6) Congress possesses no power whatsoever to determine any rules for such convention;

(7) By definition, a Convention of States means that states vote on the basis of one state, one vote;

(8) A Convention of States convened pursuant to this application is limited to consideration of topics specified herein and no other;

(9) The General Assembly of Missouri may recall its delegates at any time for breach of their duties or violations of their instructions;

(10) Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly of Missouri recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention;

(11) Congress possesses no power whatsoever with regard to the Article V convention beyond the two powers acknowledged herein;

(12) Missouri places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I relative to the Article V process, and that Congress must act only as expressly specified in Article V; and

BE IT FURTHER RESOLVED that this application shall expire five (5) years after the passage of this resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2002** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2002**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2014** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2014**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2003** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2003**.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2014** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2014, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2014.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2014.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Sue Allen
/s/ Gail McCann Beatty
/s/ Genise Montecillo

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2014**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2014

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer

money among certain funds for the fiscal period ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2002** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick

/s/ Kurt Bahr

/s/ Elaine Gannon

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Ryan Silvey

/s/ Dan Brown

/s/ Kip Kendrick
/s/ Genise Montecillo

/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2002**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2003** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Donna Lichtenegger
/s/ Caleb Rowden
/s/ Karla May
/s/ Michael Butler

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2003**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2004** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2004**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2005** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2005**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2006** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2006**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2007** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2007**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2004** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Chuck Basye
/s/ Lincoln Hough
/s/ Gail McCann Beatty
/s/ Michael Butler

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2004**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2005** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Jeffery Justus
/s/ Robert Ross
Gail McCann Beatty
Stacey Newman

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Chappelle-Nadal	Holsman	Schupp	Walsh—4
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Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2005**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General; and also provided that no funds shall be expended for the purpose of making payments on new or refinanced bonds on building renovations for an entertainment and sports arena located in a city not within a county.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Chappelle-Nadal	Holsman	Schupp	Walsh—4
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Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2006** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, begs leave to report that we, after free and fair discussion of the differences, have

agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Craig Redmon
 Don Rone
 /s/ Gail McCann Beatty
 /s/ Kip Kendrick

FOR THE SENATE:

/s/ Kurt Schaefer
 /s/ Ryan Silvey
 /s/ Dan Brown
 /s/ Shalonn “Kiki” Curls
 /s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2006**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2006**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further

provided the Department of Natural Resources notify members of the General Assembly about pending land purchases sixty (60) days prior to the close of sale, and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly, and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2007** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House

Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Chuck Basye
 /s/ Lincoln Hough
 /s/ Gail McCann Beatty
 /s/ Jeremy LaFaver

FOR THE SENATE:

/s/ Kurt Schaefer
 /s/ Ryan Silvey
 /s/ Dan Brown
 /s/ Shalonn “Kiki” Curls
 /s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2007**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2007**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2008** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2008**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2009** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2009**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2010**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2010**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2011** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2011**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2008** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Kathie Conway
 /s/ Ken Wilson
 /s/ Gail McCann Beatty
 /s/ Michael Butler

FOR THE SENATE:

/s/ Kurt Schaefer
 /s/ Ryan Silvey
 /s/ Dan Brown
 /s/ Shalonn “Kiki” Curls
 /s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None**Absent—Senators—None****Absent with leave—Senator Schaaf—1****Vacancies—2**

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2008**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2008**

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2009** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Kathie Conway
/s/ Ken Wilson
/s/ Gail McCann Beatty
/s/ Jeremy LaFaver

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2009**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2010**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Marsha Haefner
/s/ David Wood
/s/ Jeanne Kirkton
/s/ Bonnaye Mims

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2010**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article

IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2011** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Sue Allen
 /s/ Marsha Haefner
 Jeanne Kirkton
 Jeremy LaFaver

FOR THE SENATE:

/s/ Kurt Schaefer
 /s/ Ryan Silvey
 /s/ Dan Brown
 Shalonn “Kiki” Curls
 Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senator Keaveny—1

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2011**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal Curls Holsman Nasheed Schupp Sifton Walsh—7

Absent—Senator Keaveny—1

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2012** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2012**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1534**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2496**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to reimbursement for emergency medical transportation services under the MO HealthNet program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2012** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Jeffery Justus
/s/ Robert Ross
/s/ Gail McCann Beatty
/s/ Stacey Newman

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Ryan Silvey
/s/ Dan Brown
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senator Schaaf—1

Vacancies—2

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2012**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and

the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2016 and ending June 30, 2017.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HB 2013, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2016 and ending June 30, 2017; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was called from the Informal Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS for HB 2013** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senator Schaaf—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Romine moved that the Senate refuse to concur in **HCS** for **SS** for **SB 621**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Kehoe, the Senate recessed until 4:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Richard.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 2001**; **CCS** for **SCS** for **HCS** for **HB 2002**; **CCS** for **SCS** for **HCS** for **HB 2003**; **CCS** for **SCS** for **HCS** for **HB 2004**; **CCS** for **SCS** for **HCS** for **HB 2005**; **CCS** for **SCS** for **HCS** for **HB 2006**; **CCS** for **SCS** for **HCS** for **HB 2007**; **CCS** for **SCS** for **HCS** for **HB 2008**; **CCS** for **SCS** for **HCS** for **HB 2009**; **CCS** for **SCS** for **HCS** for **HB 2010**; **CCS** for **SCS** for **HCS** for **HB 2011**; **CCS** for **SCS** for **HCS** for **HB 2012**; **HCS** for **HB 2013**; and **CCS** for **SCS** for **HCS** for **HB 2014**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 2042, regarding Gloria Morris, Springfield, which was adopted.

Senator Romine offered Senate Resolution No. 2043, regarding Sharon L. Fallert, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2044, regarding Elois A. Bond, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2045, regarding Dr. Rebecca S. Frelix, Saint Mary, which was adopted.

Senator Romine offered Senate Resolution No. 2046, regarding Julie M. Hahn, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2047, regarding Peggy Turnbough, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2048, regarding Diane M. Miller, Sainte Genevieve, which was adopted.

Senator Libla offered Senate Resolution No. 2049, regarding Three Rivers College, Poplar Bluff, which was adopted.

Senator Schmitt offered Senate Resolution No. 2050, regarding Garret Kloeppel, which was adopted.

Senator Schmitt offered Senate Resolution No. 2051, regarding Carson Haskins, which was adopted.

Senator Schmitt offered Senate Resolution No. 2052, regarding Linda Reel, Ellisville, which was adopted.

Senator Silvey offered Senate Resolution No. 2053, regarding Eagle Scout Jacob Dean Beeson, which was adopted.

Senator Silvey offered Senate Resolution No. 2054, regarding Eagle Scout Brett Christian Mason, Kansas City, which was adopted.

Senator Romine offered Senate Resolution No. 2055, regarding Carol Thomas, Viburnum, which was adopted.

Senator Riddle offered Senate Resolution No. 2056, regarding Jeff Anderson, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Terry Thompson, Lexington.

Senator Keaveny introduced to the Senate, Judy King, and twenty-four fourth grade students from St. Ambrose School, St. Louis.

Senator Pearce introduced to the Senate, teacher Rebecca Lindley, and Haley Stoner, Kennedy Heil, Emma Mumm, Gracie Servoss, Braydon Cook, Hudson Matthews, Hunter Drehle, Cory Lewis, Lane Forson and Nicholas Bogart, fourth grade students from Norborne Elementary School.

Senator Parson introduced to the Senate, City Superintendent John Hopkins and his wife Carma, Humansville.

Senator Emery introduced to the Senate, teacher Joni Harrell, Josh Cash, Shaun Cox, Robert Crowley, Andrew Eddy, Olivia Engelhardt, Chandler Fry, Jordan Look, Chloe Miller, Jaymee Nance, Garrett Null, Ben Pope, Josh Pritchett, Katie Rich, Jayde Schlesener, Caitlyn Stegner, Tyler Thario, Quentin Torres,

Jordon Begaye and Katlin Winchel, twelfth-grade students from Belton High School.

Senator Onder introduced to the Senate, former State Senator Scott T. Rupp, Wentzville; and fourth grade students from Sacred Heart Academy, St. Charles.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Richard W. Burns, Columbia.

Senator Schupp introduced to the Senate, teacher Tracy Ward, parents and fourth grade students from Spoede Elementary School, Creve Coeur.

Senator Cunningham introduced to the Senate, Cassie Cunningham, Branson.

Senator Kehoe introduced to the Senate, Ally Blunt, Maggie Stoner and third grade students from St. Joseph School, Jefferson City.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 25, 2016.

SENATE CALENDAR

FIFTY-SEVENTH DAY—MONDAY, APRIL 25, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Flanigan

HCS for HB 2496

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)

SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SCS for SB 998-Romine (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown

SB 1076-Parson, with SCS

SB 795-Wallingford, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1870-Hoskins (Pearce)
(In Fiscal Oversight)

2. HB 1568-Lynch (Brown)
(In Fiscal Oversight)

3. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)

4. HB 1698-Rowden, with SCS (Sater)
(In Fiscal Oversight)

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| 5. HCS for HB 2030, with SCS (Silvey)
(In Fiscal Oversight) | 20. HB 1479-Entlicher (Romine) |
| 6. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 21. HB 1682-Frederick, with SCS (Wasson) |
| 7. HB 1795-Haefner, with SCS (Sater)
(In Fiscal Oversight) | 22. HB 1721-Dugger (Cunningham) |
| 8. HCS for HB 2187, with SCS
(Cunningham) (In Fiscal Oversight) | 23. HCS for HB 2397 (Romine) |
| 9. HCS for HB 1904, with SCS
(Wallingford) (In Fiscal Oversight) | 24. HCS for HB 2332, with SCS (Dixon) |
| 10. HB 1745-Brattin, with SCS (Schatz)
(In Fiscal Oversight) | 25. HB 1936-Wilson, with SCS (Dixon) |
| 11. HCS for HB 1717 (Wallingford) | 26. HB 2590-Plocher, with SCS (Keaveny) |
| 12. HCS for HB 1804, with SCS (Emery) | 27. HCS for HB 1584, with SCS (Schmitt) |
| 13. HCS for HB 2689 (Silvey) | 28. HB 1530-Brown (57) (Munzlinger) |
| 14. HCS for HBs 1780 & 1420 | 29. HB 1763-Shull (Wieland) |
| 15. HCS for HBs 2234 & 1985 (Pearce) | 30. HB 2257-Jones, with SCS |
| 16. HB 1678-Solon, with SCS (Pearce) | 31. HB 2429-Dohrman, with SCS (Parson) |
| 17. HCS for HBs 1646, 2132 & 1621, with
SCS | 32. HB 1435-Koenig (Kraus) |
| 18. HCS for HBs 1434 & 1600, with SCS | 33. HCS for HB 1850 (Wasson) |
| 19. HB 1472-Dugger (Dixon) | 34. HB 1565-Engler |
| | 35. HCS for HB 1599, with SCS (Sater) |
| | 36. HB 2355-Lant (Sater) |
| | 37. HCS for HB 1696, with SCS (Riddle) |
| | 38. HB 1892-Rehder (Schatz) |
| | 39. HB 2230-Ross (Schatz) |
| | 40. HCS for HB 1976, with SCS (Munzlinger) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 733-Dixon |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 734-Dixon |
| SB 596-Kraus, with SCS | SB 771-Onder |
| SB 613-Cunningham, et al, with SCS | SB 772-Onder, with SCS |
| SB 622-Romine, with SCS | SB 774-Schmitt |
| SB 644-Onder, with SCS | SB 775-Schaefer |
| SBs 662 & 587-Dixon, with SCS | SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) |
| SB 663-Dixon, with SCS & SA 1 (pending) | SB 788-Schatz, with SCS |
| SB 680-Emery | SBs 789 & 595-Wasson, with SCS |
| SB 686-Wallingford, with SCS | SB 792-Richard |
| SB 706-Dixon | SB 793-Richard |
| SB 719-Emery, with SCS | |

SB 798-Kraus, with SCS	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 802-Sater	SB 995-Riddle
SB 805-Onder, with SCS	SB 1003-Onder
SB 806-Onder, with SCS	SB 1004-Onder
SB 812-Keaveny	SB 1005-Walsh
SB 816-Wieland, et al	SBs 1010, 958 & 878-Curls, with SCS
SB 825-Munzlinger, with SA 1 (pending)	SB 1012-Dixon
SB 830-Wasson, with SCS	SB 1014-Dixon
SB 848-Emery, with SCS	SB 1026-Schatz, with SCS
SBs 851 & 694-Brown, with SCS	SB 1028-Silvey, et al, with SCS
SB 853-Brown	SB 1033-Pearce
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1066-Curls
SB 868-Wasson	SB 1074-Schmitt, with SCS
SB 871-Wallingford	SB 1075-Wallingford
SB 883-Riddle	SB 1085-Pearce
SB 884-Munzlinger	SB 1091-Riddle
SB 894-Munzlinger, with SS (pending)	SB 1094-Kehoe, with SCS
SB 896-Hegeman	SB 1096-Dixon and Keaveny, with SS (pending)
SB 898-Cunningham	SB 1117-Wasson, with SCS
SB 908-Sater, with SCS	SB 1120-Hegeman, et al
SB 916-Schaefer	SB 1131-Sifton
SB 920-Schmitt and Kraus	SB 1144-Brown
SB 951-Wasson, with SA 1 (pending)	SJR 23-Sater, with SS (pending)
SB 964-Wallingford, with SCS (pending)	SJR 35-Kraus, with SCS
SB 966-Schaaf	
SB 972-Silvey	

HOUSE BILLS ON THIRD READING

HB 1414-Houghton, with SCS (pending) (Munzlinger)	HCS for HB 1658 (Onder)
HB 1452-Hoskins, with SCS (Pearce)	HCS for HB 1729 (Munzlinger)
HCS for HB 1477 (Munzlinger)	HB 1733-Davis (Kraus)
HCS for HB 1550, with SCS & SS for SCS (pending) (Sater)	SS for HCS for HB 1877 (Wallingford) (In Fiscal Oversight)
HB 1575-Rowden, with SCA 1 (Onder)	HB 2125-Fitzwater, with SCS (Schmitt)
HB 1582-Kelley, with SCS (Kraus)	HB 2166-Alferman, with SCS, SS#2 for SCS, SA 1 & SSA 1 for SA 1 (pending) (Onder)
HB 1619-McCaherty (Dixon)	HB 2226-Barnes (Silvey)
HB 1631-Alferman, with SCS, SS for SCS & SA 1 (pending) (Kraus)	HJR 53-Dugger (Kraus)
HCS for HB 1649, with SCS (Parson)	

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)	HB 1473-Dugger, with SCS (Wasson)
HB 2428-Swan (Pearce)	HCS for HB 1480 (Hegeman)
HB 2195-Hoskins (Pearce)	HB 1388-Roeber (Dixon)
HB 1539-Vescovo (Wieland)	HB 1593-Crawford (Hegeman)
HB 1538-Vescovo (Wieland)	HB 2591, HB 1958 & HB 2369-Richardson, with SCS (Libla)
HB 1559-McCann Beatty (Curls)	HB 2335-Houghton, with SCS (Riddle)
HB 2183-Roeber (Curls)	HB 1851-Alferman, with SCS (Schatz)
HCS for HB 2453, with SCS (Schaaf)	
HB 2480-Justus (Sater)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 579-Schaaf, et al, with HAs 1 & 2

RESOLUTIONS

Reported from Committee

SCR 42-Curls	SCR 60-Curls
SCR 45-Dixon	SCR 61-Parson
SCR 50-Nasheed	SCR 63-Curls and Munzlinger
SCRs 53 & 44-Schaefer, with SCS	SCR 65-Schaefer
SCR 54-Walsh	SCR 68-Schupp
SCR 55-Holsman	HCR 63-Taylor (Wieland)
SCR 56-Brown	HCR 69-Miller (Brown)
SCR 59-Emery	

To be Referred

HCS for HCR 57

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer) (Section 2.030/Appropriation 9235)	CCS for SCS for HCS for HB 10 (Schaefer) (Section 10.710/Appropriation 9859)
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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SEVENTH DAY—MONDAY, APRIL 25, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will remember my covenant which is between me and You and every living creature of all flesh that is upon the earth.” (Genesis 9:15)

Blessed God Almighty, we give thanks for watching our travel this day that we have arrived safely here to do our work that has accumulated for us to tackle. Be with us as we insert ourselves in the pathways You have laid out before us and may our efforts show forth our love for You and service to those who elected us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 21, 2016 was read and approved.

Senator Kehoe announced photographers from the MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 2057, regarding the Sixtieth Wedding Anniversary of Austin and Darlene Bonnett, Gallatin, which was adopted.

Senator Hegeman offered Senate Resolution No. 2058, regarding the Sixtieth Wedding Anniversary of Delvin and Jennie Wilford, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 2059, regarding Dr. Neil Nuttall, Trenton, which was adopted.

Senator Riddle offered Senate Resolution No. 2060, regarding the Seventieth Wedding Anniversary of Clifford and Evelyn Case, Holts Summit, which was adopted.

Senator Kehoe offered Senate Resolution No. 2061, regarding Warren Krech, which was adopted.

REFERRALS

President Pro Tem Richard referred **HB 1892**; **HCS** for **HB 1696**, with **SCS**; **HB 1565**; **HCS** for **HB 2332**, with **SCS**; **HCS** for **HBs 1646, 2132 and 1621**, with **SCS**; and **HCS** for **HBs 2234 and 1985** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE CONCURRENT RESOLUTIONS ON SECOND READING

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for **HCR 57**—Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 2187**, with **SCS**; **HB 1698**, with **SCS**; and **HB 1870**, begs leave to report that it has considered the same and recommends that the bills do pass.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 788**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 788**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 788

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

Was taken up.

Senator Schatz moved that **SCS** for **SB 788** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 788**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 788

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof two new sections relating to distribution of local sales taxes.

Senate Schatz moved that **SS** for **SCS** for **SB 788** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 788, Pages 17-21, Section 94.860, by striking said section from the bill; and further the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed on a standing division vote.

President Kinder assumed the Chair.

At the request of Senator Schatz, **SB 788**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Hegeman assumed the Chair.

Senator Munzlinger moved that **SB 884** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 884** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HB 1870, introduced by Representative Hoskins, entitled:

An Act to repeal sections 1.310 and 143.173, RSMo, and to enact in lieu thereof two new sections relating to the big government get off my back act.

Was taken up by Senator Pearce.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1870, Page 3, Section 143.173, Line 54, by inserting after said line the following:

“285.530. 1. No business entity or employer shall knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the state of Missouri.

2. As a condition for the award of any contract or grant in excess of five thousand dollars by the state or by any political subdivision of the state to a business entity, or for any business entity receiving a state-administered or subsidized tax credit, tax abatement, or loan from the state, the business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services,

unless participation in such program would result in a substantial difficulty or expense on such business entity. In considering whether or not a substantial difficulty or expense has been imposed on a business, the following shall be considered:

- (1) The nature and cost of participation in the program to the business;**
- (2) The overall financial resources of the business;**
- (3) The effect on expenses of the business; and**
- (4) Any other adverse results that a business may incur by participating in the program.**

Every such business entity shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. Any entity contracting with the state or any political subdivision of the state shall only be required to provide the affidavits required in this subsection to the state and any political subdivision of the state with which it contracts, on an annual basis. During or immediately after an emergency, the requirements of this subsection that a business entity enroll and participate in a federal work authorization program shall be suspended for fifteen working days. As used in this subsection, “emergency” includes the following natural and manmade disasters: major snow and ice storms, floods, tornadoes, severe weather, earthquakes, hazardous material incidents, nuclear power plant accidents, other radiological hazards, and major mechanical failures of a public utility facility.

3. All public employers shall enroll and actively participate in a federal work authorization program.

4. An employer may enroll and participate in a federal work authorization program and shall verify the employment eligibility of every employee in the employer’s hire whose employment commences after the employer enrolls in a federal work authorization program. The employer shall retain a copy of the dated verification report received from the federal government. Any business entity that participates in such program shall have an affirmative defense that such business entity has not violated subsection 1 of this section.

5. A general contractor or subcontractor of any tier shall not be liable under sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of this section, if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of this section and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor’s employees are lawfully present in the United States.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1870, Page 1, In the Title, Line 3 of the title, by striking said line and inserting in lieu thereof the following: “relating to the collection of money by the state.”; and

Further amend said bill, Page 2, Section 1.310, Line 30, by inserting after all of said line the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer’s federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer’s federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident’s federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer’s federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer’s federal adjusted gross income or included in the

taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection; **and**

(10) For all tax years beginning on or after January 1, 2014, the amount of any income received as payment from any program which provides compensation to agricultural producers who have suffered a loss as the result of a disaster or emergency, including the:

(a) Livestock Forage Disaster Program;

- (b) Livestock Indemnity Program;**
- (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;**
- (d) Emergency Conservation Program;**
- (e) Noninsured Crop Disaster Assistance Program;**
- (f) Pasture, Rangeland, Forage Pilot Insurance Program;**
- (g) Annual Forage Pilot Program;**
- (h) Livestock Risk Protection Insurance Plan; and**
- (i) Livestock Gross Margin insurance plan.**

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The [taxpayer shall provide the] department of revenue [with] **may request** proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively

exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted.

Senator Pearce raised the point of order that **SA 2** is out of order as it goes beyond the scope of the bill.

The point of the order was referred to the President Pro Tem who took it under advisement, which placed **HB 1870**, with **SA 2** and point of order (pending), on the Informal Calendar.

HB 1698, introduced by Representative Rowden, with **SCS**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the meet in Missouri act.

Was taken up by Senator Sater.

SCS for **HB 1698**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1698

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to incentives to attract major out-of-state conventions to Missouri.

Was taken up.

Senator Sater moved that **SCS** for **HB 1698** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **HB 1698** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Emery	Kraus	Onder	Schaaf—4
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Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Onder assumed the Chair.

HCS for **HB 2187**, with **SCS**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to the sale of certain lands acquired through legal settlements.

Was taken up by Senator Cunningham.

SCS for **HCS** for **HB 2187**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2187

An Act to amend chapters 444 and 640, RSMo, by adding thereto two new sections relating to the sale of certain lands acquired through legal settlements, with an emergency clause.

Was taken up.

Senator Cunningham moved that **SCS** for **HCS** for **HB 2187** be adopted.

At the request of Senator Cunningham, **HCS** for **HB 2187**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Pearce moved that **HB 1870**, with **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

At the request of Senator Pearce, the point of order was withdrawn.

SA 2 was again taken up.

At the request of Senator Schatz, the above amendment was withdrawn.

Senator Schmitt offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Bill No. 1870, Page 2, Section 1.310, Line 30, by inserting immediately after said line the following:

“94.360. **1.** The council of any incorporated town or city in this state having a special charter and which contains not more than thirty thousand inhabitants may by ordinance levy and collect a license tax on

wholesale houses, auctioneers, architects, druggists, grocers, banks, brokers, wholesale merchants, merchants of all kinds, confectioners, delivery trucks, ice trucks, transfer trucks, laundry wagons, milk wagons, merchant delivery companies, cigar and tobacco stands, hay scales, wood dealers, coal dealers, coal distributors, coal truckers, lumber dealers, real estate agents, loan companies, abstracters, abstract agencies, loan agents, collection agencies, undertakers, public buildings, office buildings, public halls, public grounds, concerts, photographers in office or upon streets, canvassers, artists, drummers, patent right dealers, insurance companies, insurance agents, taverns, hotels, rooming houses, boarding houses, sanitariums, hospitals, health schools, telephone companies, street contractors, paperhanger contractors, painting contractors, plastering contractors, and all subcontractors, flour mills, express company agencies, opticians, wagons, buggies, carriages, tinnerns, barbers, barbershops, hairdressers, hair dressing shops, whether conducted in connection with other business or separate, beauty parlors, tailors, florists, nursery stock agents, bookbinders, monument dealers, and agencies, manufacturing agents, shoe cobbler shops, storage warehouses, shoe shining parlors, job printing plants, outdoor advertising, ready-to-wear clothing agencies, tailor-made clothing agencies, sewing machine agencies, piano and organ dealers and agents, foreign coffee and tea dealers, and agents or all other vocations whatsoever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and may levy and collect a license tax and regulate hawkers, peddlers, pawnbrokers, restaurants, butchers, wholesale butchers, bathhouses and masseurs, lunch stands, lunch counters, lunch wagons, soft drink and ice cream stands and vendors, ice cream parlors, peanut and popcorn stands, and stands of every kind, hucksters, opera houses, moving picture shows, private parks, public lectures, public meetings, baseball parks, horse and cattle dealers, stockyards, wagon yards, auto yards, oil stations, wholesale and retail inspectors, gaugers, mercantile agents, manufacturing and other corporations, or institutions, machine shops, blacksmith shops, radio repair shops, foundries, sewer contractors, building contractors, stone contractors, sidewalk contractors, bridge contractors, plumbing contractors, brick contractors, cement contractors, and all subcontractors, street railroad cars, gas companies, light companies, power companies, and water companies, laundries, laundry agencies, rug and carpet cleaners, linen supply rental service, conditioning and renting for use, bed linen, table linen, towels, rugs, uniform aprons, coats, caps, coveralls, chair covers, automobile seat covers or any other items, ice plants and ice plant agencies, ice dealers, omnibuses, automobiles, automobile trailers, tractors, carts, drays, milk wagons, laundry wagons, delivery wagons, transfer and job wagons, ice wagons, and all other vehicles, traveling and auction stores, plumbers, pressing establishments, installment houses and agencies, produce and poultry dealers, feather renovators, baker and bakeries, bakery delivery wagons, and delivery autos, bottling works, dye works, cleaning establishments, sand plants, steamfitters, corn doctors, chiropodists, hackmen, taxicabs, buses, draymen, omnibus drivers, porters, dairies, and regulate the same, and all others pursuing like occupations; and may levy and collect a license tax, regulate, restrain, prohibit and suppress ordinaries, money brokers, money changers, intelligence and employment offices, and agencies, public masquerades, balls, street exhibitions, dance halls, fortune tellers, pistol galleries, shooting galleries, palmists, private venereal hospitals, museums, menageries, equestrian performances, fluoroscopic views, picture shows, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, bowling alleys, billiard tables, pool and other tables, miniature golf courses, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, amusement parks, and the sale of unclaimed goods by express companies or common carriers, auto wrecking shops, bill posters, junk dealers, porters, carnival and street fairs, circuses and shows for parade and exhibition, or both, skating rinks and runners, and solicitors for steamboats, cars, stages, taxicabs, hotels, rooming houses, boarding houses, bathhouses, masseurs, hospitals, sanitariums, health schools, and all others pursuing like occupations.

2. Notwithstanding any other law to the contrary, on or after May 1, 2016, a city shall not impose

a business license tax on any business under more than one of the following section: section 94.110, 94.270, or 94.360. The provisions of this section shall not apply to any tax levied in compliance with subsection 7 of section 94.270 nor shall it apply to any tax levied under section 92.045.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend House Bill No. 1870, Page 2, Section 1.310, Line 30, by inserting immediately after all of said line the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer’s federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer’s federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident’s federal return in the taxable year unless such state, political subdivision

of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat

activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The [taxpayer shall provide the] department of revenue [with] **may request** proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year,

the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend House Bill No. 1870, Page 1, In the Title, Line 3, by striking the words “the big government get off my back act”, and insert in lieu thereof the following: “the collection of money by public entities”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Pearce, **HB 1870**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny	
Kehoe	Libla	Munzlinger		Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27		

NAYS—Senators

Chappelle-Nadal	Emery	Schupp	Walsh—4
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Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard requested unanimous consent of the Senate that **HCS** for **HB 2332**, with **SCS**, be returned from the Committee on Governmental Accountability and Fiscal Oversight as it was inadvertently referred, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 884**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1448**, entitled:

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to taxation of utilities used in food preparation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2028**, entitled:

An Act to repeal sections 311.060, 311.205, and 311.735 RSMo, and to enact in lieu thereof four new sections relating to liquor control.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1852**, entitled:

An Act to repeal section 376.1237, RSMo, and to enact in lieu thereof one new section relating to refills of eye drop prescriptions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2065**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to data storage centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2093**, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to the use of restraints in overdose treatment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1928**, entitled:

An Act to repeal sections 167.265, 168.303, 168.500, 168.520, and 192.915, RSMo, and enact in lieu thereof ten new sections relating to elementary and secondary education, with a delayed effective date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2237**, entitled:

An Act to repeal sections 49.098 and 262.590, RSMo, and to enact in lieu thereof two new sections relating to University of Missouri extension councils.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2345**, entitled:

An Act to repeal sections 71.610, 168.133, 304.060, and 304.044, RSMo, and to enact in lieu thereof four new sections relating to transportation of persons and property and roadway operations, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1585**, entitled:

An Act to repeal sections 217.670 and 217.690, RSMo, and to enact in lieu thereof two new sections relating to videoconferencing for parole hearings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1955**, entitled:

An Act to repeal sections 287.037, 287.040, 287.090, 287.140, 287.955, 287.957, and 287.975, RSMo, and to enact in lieu thereof seven new sections relating to workers' compensation, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1969**, entitled:

An Act to repeal sections 578.018 and 578.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 578.018 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and section 578.030 as enacted by house bill no. 1210, eighty-second general assembly, second regular session, and to enact in lieu thereof two new sections relating to confiscation of animals, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2057**, entitled:

An Act to repeal sections 563.031, 571.030, 571.101, 571.104, and 571.111, RSMo, and to enact in lieu thereof five new sections relating to concealed carry permits, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

On behalf of Senator Pearce, the President introduced to the Senate, Greg and Kim Hall, and their daughter, Mallory, Warrensburg.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-EIGHTH DAY—TUESDAY, APRIL 26, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Flanigan	HCS for HB 1928
HCS for HB 2496	HB 2237-Rowden
HCS for HB 1448	HCS for HB 2345
HB 2028-Hoskins	HB 1585-Hill
HB 1852-Rowland	HCS for HB 1955
HB 2065-Berry	HB 1969-Anderson
HB 2093-Chipman	HCS for HB 2057

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and Curls (In Fiscal Oversight)	SCS for SBs 857 & 712-Romine (In Fiscal Oversight)
SCS for SB 998-Romine (In Fiscal Oversight)	SB 884-Munzlinger

SENATE BILLS FOR PERFECTION

SB 1111-Brown	SB 1076-Parson, with SCS
SB 795-Wallingford, with SCS	

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 1568-Lynch (Brown)
(In Fiscal Oversight) | 8. HCS for HB 1717 (Wallingford) |
| 2. HB 1855-Allen (Schaaf)
(In Fiscal Oversight) | 9. HCS for HB 1804, with SCS (Emery) |
| 3. HCS for HB 2030, with SCS (Silvey)
(In Fiscal Oversight) | 10. HCS for HB 2689 (Silvey) |
| 4. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 11. HCS for HBs 1780 & 1420 (Pearce) |
| 5. HB 1795-Haefner, with SCS (Sater)
(In Fiscal Oversight) | 12. HCS for HBs 2234 & 1985 (Pearce) (In
Fiscal Oversight) |
| 6. HCS for HB 1904, with SCS
(Wallingford) (In Fiscal Oversight) | 13. HB 1678-Solon, with SCS (Pearce) |
| 7. HB 1745-Brattin, with SCS (Schatz)
(In Fiscal Oversight) | 14. HCS for HBs 1646, 2132 & 1621, with
SCS (Riddle) (In Fiscal Oversight) |
| | 15. HCS for HBs 1434 & 1600, with SCS
(Walsh) |
| | 16. HB 1472-Dugger (Dixon) |
| | 17. HB 1479-Entlicher (Romine) |
| | 18. HB 1682-Frederick, with SCS (Wasson) |

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|---|--|
| 19. HB 1721-Dugger (Cunningham) | 30. HCS for HB 1850 (Wasson) |
| 20. HCS for HB 2397 (Romine) | 31. HB 1565-Engler (Romine) |
| 21. HCS for HB 2332, with SCS (Dixon) | (In Fiscal Oversight) |
| 22. HB 1936-Wilson, with SCS (Dixon) | 32. HCS for HB 1599, with SCS (Sater) |
| 23. HB 2590-Plocher, with SCS (Keaveny) | 33. HB 2355-Lant (Sater) |
| 24. HCS for HB 1584, with SCS (Schmitt) | 34. HCS for HB 1696, with SCS (Riddle) |
| 25. HB 1530-Brown (57) (Munzlinger) | (In Fiscal Oversight) |
| 26. HB 1763-Shull (Wieland) | 35. HB 1892-Rehder (Schatz) |
| 27. HB 2257-Jones, with SCS (Wieland) | (In Fiscal Oversight) |
| 28. HB 2429-Dohrman, with SCS (Parson) | 36. HB 2230-Ross (Schatz) |
| 29. HB 1435-Koenig (Kraus) | 37. HCS for HB 1976, with SCS (Munzlinger) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending) | SBs 789 & 595-Wasson, with SCS |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 792-Richard |
| SB 596-Kraus, with SCS | SB 793-Richard |
| SB 613-Cunningham, et al, with SCS | SB 798-Kraus, with SCS |
| SB 622-Romine, with SCS | SB 802-Sater |
| SB 644-Onder, with SCS | SB 805-Onder, with SCS |
| SBs 662 & 587-Dixon, with SCS | SB 806-Onder, with SCS |
| SB 663-Dixon, with SCS & SA 1 (pending) | SB 812-Keaveny |
| SB 680-Emery | SB 816-Wieland, et al |
| SB 686-Wallingford, with SCS | SB 825-Munzlinger, with SA 1 (pending) |
| SB 706-Dixon | SB 830-Wasson, with SCS |
| SB 719-Emery, with SCS | SB 848-Emery, with SCS |
| SB 733-Dixon | SBs 851 & 694-Brown, with SCS |
| SB 734-Dixon | SB 853-Brown |
| SB 771-Onder | SB 858-Romine, with SCS & SS for SCS |
| SB 772-Onder, with SCS | (pending) |
| SB 774-Schmitt | SB 868-Wasson |
| SB 775-Schaefer | SB 871-Wallingford |
| SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending) | SB 883-Riddle |
| SB 788-Schatz, with SCS & SS for SCS (pending) | SB 894-Munzlinger, with SS (pending) |
| | SB 896-Hegeman |
| | SB 898-Cunningham |
| | SB 908-Sater, with SCS |
| | SB 916-Schaefer |

SB 920-Schmitt and Kraus
 SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder
 SB 1005-Walsh
 SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon
 SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS

SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HB 1414-Houghton, with SCS (pending)
 (Munzlinger)
 HB 1452-Hoskins, with SCS (Pearce)
 HCS for HB 1477 (Munzlinger)
 HCS for HB 1550, with SCS & SS for SCS
 (pending) (Sater)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HB 1619-McCaherty (Dixon)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 1 (pending) (Kraus)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)

HCS for HB 1729 (Munzlinger)
 HB 1733-Davis (Kraus)
 SS for HCS for HB 1877 (Wallingford)
 (In Fiscal Oversight)
 HB 2125-Fitzwater, with SCS (Schmitt)
 HB 2166-Alferman, with SCS, SS#2 for
 SCS, SA 1 & SSA 1 for SA 1 (pending)
 (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HB 2226-Barnes (Silvey)
 HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
 HB 2428-Swan (Pearce)
 HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)

HB 1559-McCann Beatty (Curls)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)
 HB 1473-Dugger, with SCS (Wasson)

HCS for HB 1480 (Hegeman)
HB 1388-Roeber (Dixon)
HB 1593-Crawford (Hegeman)
HB 2591, HB 1958 & HB 2369-Richardson,
with SCS (Libla)

HB 2335-Houghton, with SCS (Riddle)
HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 579-Schaaf, et al, with HAs 1 & 2

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

SS for SB 621-Romine, with HCS, as
amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 42-Curls
SCR 45-Dixon
SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery

SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 68-Schupp
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-EIGHTH DAY—TUESDAY, APRIL 26, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let them praise the name of the Lord, whose name only is exalted..” (Psalm 148:13a)

Gracious God, we know that unity among Your people is important to You and desired by us. We know that with Your help we can keep disagreements from dividing us from accomplishing what You urge for us to complete. Give us the grace to work through any disagreements with love and understanding that exalts Your name. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times and Missourinet were given permission to take pictures in the Senate Chamber.

Senator Kehoe requested unanimous consent of the Senate to allow members from the High Hill Police Department; the Jonesburg Police Department; the Wellsville Police Department; the Warren County Sheriff’s Department; the Gasconade County Sheriff’s Department; the Hermann Police Department; the Missouri Department of Conservation; the New Florence Police Department; the Montgomery County Sheriff’s Department; the Montgomery City Police Department; the East Central Drug Task Force; the Missouri State Highway Patrol; the Federal Bureau of Investigation (FBI); and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to enter the Chamber with side arms, which request was granted.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

REFERRALS

President Pro Tem Richard referred **SB 884** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Pearce offered the following resolution:

SENATE RESOLUTION NO. 2062

Whereas, the F-35A Lightning II is the Air Force's newest generation fighter that represents an enduring, long-term mission for the Air Force; and

Whereas, the United States Air Force announced in April 2016 it will be considering where to locate its first Air Force Reserve F-35A Lightning II mission; and

Whereas, the Air Force announced it will consider four locations — Davis-Monthan AFB, Arizona; Homestead Air Reserve Base, Florida; Naval Air Station Joint Reserve Base, Fort Worth, Texas; and Whiteman AFB, Missouri — as candidates to host the Air Force Reserve F-35A; and

Whereas, the Air Force expects to select the preferred and reasonable alternatives in the Fall of 2016 with aircraft slated to begin arriving at the first location by the summer of 2023; and

Whereas, the 442nd Air Force Reserve Fighter Wing currently operates the A-10 close air support fighter aircraft and has served numerous deployments with the utmost distinction and dedication; and

Whereas, 2023 is when the Air Force Reserve is planning to first operate the F-35 which extends well beyond the planned mission conversion from the currently operated A-10 Thunderbolt; and

Whereas, the State of Missouri is committed to ensuring that the incredible men and women of the 442nd Air Force Reserve Fighter Wing have an enduring mission; and

Whereas, the State of Missouri has shown its resolve and commitment to support the military's missions and personnel, having passed a series of military family support initiatives, personnel benefits and infrastructure improvements to support mission operations; and

Whereas, Missouri's Congressional Delegation are well positioned and work together effectively in bipartisan unison with the General Assembly on initiatives aimed at supporting the Department of Defense in the State of Missouri; and

Whereas, Whiteman Air Force Base has the capacity, low operating costs, lack of encroachment and would best support the execution of the F-35 mission; and

Whereas, Whiteman Air Force Base has access to unencumbered airspace, more than sufficient runway length, ramp space and future installation expansion capacity; and

Whereas, Whiteman Air Force Base's resident expertise in stealth technology and operations associated with the B-2 Stealth Bomber would create beneficial and unmatched synergies with the F-35 stealth fighter being located at Whiteman Air Force Base; and

Whereas, the State of Missouri and the surrounding Whiteman Air Force Base communities will remain supportive partners and committed to helping the Air Force assess Whiteman Air Force Base's strengths throughout this selection process; and

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby urge the United States Air Force to consider strongly all of the benefits of basing and operating the F-35A Lightning II at the 442nd Air Force Reserve Fighter Wing at Whiteman Air Force Base ; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Chief of Staff of the United States Air Force and Chief of the Air Force Reserve.

PRIVILEGED MOTIONS

Senator Schaaf moved that **SB 579**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

Senator Onder assumed the Chair.

President Kinder assumed the Chair.

HA 1 was taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

HA 2 was taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, **SB 579**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 2125, introduced by Representative Fitzwater, with **SCS**, entitled:

An Act to amend chapter 408, RSMo, by adding thereto four new sections relating to savings promotions programs.

Was called from the Informal Calendar and taken up by Senator Schmitt.

SCS for **HB 2125**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2125

An Act to repeal sections 209.600, 209.605, 209.610, and 209.630, RSMo, and to enact in lieu thereof eight new sections relating to savings programs.

Was taken up.

Senator Schmitt moved that **SCS** for **HB 2125** be adopted.

On motion of Senator Schmitt, **HB 2125**, with **SCS** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schmitt moved that the motion to reconsider the vote by which **HB 2125**, with **SCS** passed was laid on the table, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schmitt moved that the vote by which the title to the bill was agreed to be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater

Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Schmitt moved that the vote by which **HB 2125**, with **SCS** was read the third time and passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

At the request of Senator Schmitt, the motion for third reading and final passage was withdrawn.

SCS for **HB 2125** was again taken up.

Senator Schmitt moved that **SCS** for **HB 2125** be adopted.

Senator Silvey requested a roll call vote be taken and was joined in his request by Senators Hegeman, Holsman, Romine and Schmitt.

SCS for **HB 2125** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **SCS** for **HB 2125** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that **HB 1414**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HB 1414** was again taken up.

Senator Munzlinger moved that **SCS** for **HB 1414** be adopted.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1414, Page 3, Section 267.169, Line 10 by inserting at the end of said line the following: “**and**”; and further amend lines 11-12, by striking all of said lines, and further renumbering the remaining subdivision accordingly.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1414 Section 261.130, Page 3, line 68 by inserting at the end of said line the following:

“(4) The disclosure of information collected not in connection with a producer or owner’s voluntary participation in a government program.”

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1414, Section 267.169, Page 4, line 23 by inserting immediately after the word “are” the following: **“or are”**.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SCS** for **HB 1414**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **HB 1414**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Keaveny	Nasheed	Schupp	Sifton	Silvey	Walsh—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 1568**; **HB 1745**, with **SCS**; **HB 1795**, with **SCS**; **SS** for **HCS** for **HB 1877**; **HCS** for **HB 1904**, with **SCS**; and **HCS** for **HB 2030**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

At the request of Senator Brown, **HB 1568** was placed on the Informal Calendar.

At the request of Senator Silvey, **HCS** for **HB 2030**, with **SCS**, was placed on the Informal Calendar.
HB 1795, with **SCS**, was placed on the Informal Calendar

At the request of Senator Wallingford, **HCS** for **HB 1904**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schatz, **HB 1745**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 1717**, was placed on the Informal Calendar.

HCS for **HB 1804**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Silvey, **HCS** for **HB 2689** was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HBs 1780** and **1420** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1678**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Walsh, **HCS** for **HBs 1434** and **1600**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1472** was placed on the Informal Calendar.

At the request of Senator Romine, **HB 1479** was placed on the Informal Calendar.

HB 1682, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 1721** was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 2397** was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 2332**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 1936**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Keaveny, **HB 2590**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1584**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1530** was placed on the Informal Calendar.

At the request of Senator Wieland, **HB 1763** was placed on the Informal Calendar.

At the request of Senator Wieland, **HB 2257**, with **SCS**, was placed on the Informal Calendar.

HB 2429, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 1435** was placed on the Informal Calendar.

HCS for **HB 1850** was placed on the Informal Calendar.

HCS for **HB 1599**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HB 2355** was placed on the Informal Calendar.

At the request of Senator Schatz, **HB 2230** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1976**, with **SCS**, was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1561**, entitled:

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof two new sections relating to local sales taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 621**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 621**, as amended. Representatives: Barnes, Allen, Haefner, Kirkton, Kendrick.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** of **SB 621**, as amended: Senators Romine, Sater, Brown Walsh and Curls.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

HOUSE BILLS ON THIRD READING

Senator Sater moved that **HCS** for **HB 1550**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 1550** was again taken up.

At the request of Senator Sater, **SS** for **SCS** for **HCS** for **HB 1550** was withdrawn.

Senator Sater offered **SS No. 2** for **SCS** for **HCS** for **HB 1550**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1550

An Act to repeal sections 452.310, 452.340, 452.375, 452.400, and 452.556, RSMo, and to enact in lieu thereof five new sections relating to child custody orders, with existing penalty provisions.

Senator Sater moved that **SS No. 2** for **SCS** for **HCS** for **HB 1550** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1550, Page 32, Section 452.556, Line 27 of said page, by inserting immediately after all of said line the following:

“454.849. The repeal of sections 454.850 to 454.999 shall become effective upon the [United States filing its instrument of ratification of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague Conference on Private International Law on November 23, 2007] **effective date of this act**.

454.1728. Sections 454.1500 to 454.1728 shall become effective upon the [United States filing its instrument of ratification of The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, adopted at The Hague Conference on Private International Law on November 23, 2007] **effective date of this act**.

Section B. Because immediate action is necessary to prevent any loss of federal funding for the child support enforcement program, the repeal and reenactment of sections 454.849 and 454.1728 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 454.849 and 454.1728 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Under the provisions of Senate Rule 91, Senators Silvey and Sifton were excused from voting on the adoption of **SA 1**; adoption of **SS No. 2** for **SCS** for **HCS** for **HB 1550**; third reading of the bill; and the emergency clause.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS No. 2** for **SCS** for **HCS** for **HB 1550**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS No. 2** for **SCS** for **HCS** for **HB 1550**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Excused from voting—Senators

Sifton Silvey—2

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Excused from voting—Senators

Sifton Silvey—2

Vacancies—2

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1936, introduced by Representative Wilson, with **SCS**, entitled:

An Act to repeal section 57.111, RSMo, and to enact in lieu thereof one new section relating to the authority of sheriffs and deputy sheriffs to render assistance in other counties.

Was called from the Informal Calendar and taken up by Senator Dixon.

SCS for **HB 1936**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1936

An Act to repeal sections 57.111 and 610.100, RSMo, and to enact in lieu thereof two new sections relating to law enforcement officers.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1936** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1936, Page 1, Section 57.111, Line 10, by inserting immediately after said line the following:

“488.5026. 1. Upon approval of the governing body of a city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the “Inmate Prisoner Detainee Security Fund”. Funds deposited shall be utilized to acquire and develop biometric verification systems and information sharing to ensure that inmates, prisoners, or detainees in a holding cell facility or other detention facility or area which hold persons detained only for a shorter period of time after arrest or after being formally charged can be properly identified upon booking and tracked within the local law enforcement administration system, criminal justice administration system, or the local jail system. **The funds deposited in the inmate prisoner detainee security fund shall be used only to supplement the sheriff’s funding received from other county, state, or federal funds. The county commission shall not reduce any sheriff’s budget as a result of any funds received within the inmate prisoner detainee security fund.** Upon the installation of the information sharing or biometric verification system, funds in the inmate prisoner detainee security fund may also be used for the maintenance, repair, and replacement of the information sharing or biometric verification system, and also to pay for any expenses related to detention, custody, and housing and other expenses for inmates, prisoners, and detainees.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1936, Page 1, Section 57.111, Line 10, by inserting after all of said line the following:

“590.198. 1. For purposes of this section, “body-worn camera” means an electronic device that is:

(1) Capable of recording, or transmitting to be recorded remotely, video, and audio data; and

(2) Worn on the person of a peace officer, which includes being attached to the officer’s clothing or worn as glasses.

2. Subject to state appropriations sufficient to cover the costs necessary to comply with this section, each law enforcement agency in any city not within a county shall require its peace officers to wear a body-worn camera at all times while on duty and in uniform and to activate the camera to record, from beginning to end, all contacts with people in the performance of the peace officer's official duties.

3. Body-worn cameras shall be worn on the officer's chest or at eye level.

4. An officer shall inform any person who is being recorded by a body-worn camera when the person is being recorded unless doing so would be unsafe, impractical, or impossible.

5. An officer who fails to record an activity as required under this section shall be suspended without pay until an investigation into why the activity was not recorded in accordance with this section is completed.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1936 Section 57.111, Page 1, Line 7, by striking the words “**his or her**” and inserting in lieu thereof the following: “**the sending**”; and further amend lines 9 and 10 of said page by striking said lines and inserting in lieu thereof the following: “reimbursement provisions provided to him or her as an employee of the sending sheriff's office.”

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS** for **HB 1936**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **HB 1936**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1568, introduced by Representative Lynch, entitled:

An Act to amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

Was called from the Informal Calendar and taken up by Senator Brown.

Senator Sater offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1568, Page 1, Section 195.206, Line 11, by striking “or pharmacy technician”; and further amend line 13, by striking “or pharmacy technician”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1568, Page 1, In the Title, Line 3, of the title, by striking “dispensing opioid antagonist drugs” and inserting in lieu thereof the following: “products for the treatment of health conditions”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“192.945. 1. As used in this section, the following terms shall mean:

- (1) “Department”, the department of health and senior services;
- (2) “Hemp extract”, as such term is defined in section 195.207;
- (3) “Hemp extract registration card”, a card issued by the department under this section;
- (4) “Intractable epilepsy”, epilepsy that as determined by a neurologist does not respond to three or more treatment options overseen by the neurologist;
- (5) “Neurologist”, a physician who is licensed under chapter 334 and board certified in neurology;
- (6) “Parent”, a parent or legal guardian of a minor who is responsible for the minor’s medical care;
- (7) **“Physician”, a person who is a physician licensed by the state board of registration for the healing arts and practicing within this state and, by training or experience, is qualified to diagnose and treat a serious condition;**

[(7)] (8) “Registrant”, an individual to whom the department issues a hemp extract registration card under this section;

(9) **“Serious condition”:**

(a) **Cancer, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, amyotrophic lateral sclerosis, Parkinson’s disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity,**

inflammatory bowel disease, neuropathies, Huntington's disease, post-traumatic stress disorder; or

(b) Any of the following conditions that is clinically associated with, or a complication of, a condition under this subdivision or its treatment: cachexia or wasting syndrome; severe or chronic pain; severe nausea; seizures; severe or persistent muscle spasms.

2. The department shall issue a hemp extract registration card to an individual who:

(1) Is eighteen years of age or older;

(2) Is a Missouri resident;

(3) Provides the department with a [statement] **recommendation** signed by a neurologist **or physician** that:

(a) Indicates that the individual suffers from intractable epilepsy **or a serious condition** and may benefit from treatment with hemp extract; and

(b) Is consistent with a record from the neurologist **or physician** concerning the individual contained in the database described in subsection 9 of this section;

(c) Indicates the physician or neurologist by training or experience is qualified to treat the serious condition; and

(d) States that the individual is under the physician or neurologist's continuing care for the serious condition or intractable epilepsy;

(4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and

(5) Submits an application to the department on a form created by the department that contains:

(a) The individual's name and address;

(b) A copy of the individual's valid photo identification; and

(c) Any other information the department considers necessary to implement the provisions of this section.

3. The department shall issue a hemp extract registration card to a parent who:

(1) Is eighteen years of age or older;

(2) Is a Missouri resident;

(3) Provides the department with a [statement] **recommendation** signed by a neurologist **or physician** that:

(a) Indicates that a minor in the parent's care suffers from intractable epilepsy **or a serious condition** and may benefit from treatment with hemp extract; [and]

(b) Is consistent with a record from the neurologist **or physician** concerning the minor contained in the database described in subsection [9] **10** of this section;

(c) The physician or neurologist by training or experience is qualified to treat the serious condition; and

(d) The minor is under the physician or neurologist's continuing care for the serious condition;

(4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and

(5) Submits an application to the department on a form created by the department that contains:

(a) The parent's name and address;

(b) The minor's name;

(c) A copy of the parent's valid photo identification; and

(d) Any other information the department considers necessary to implement the provisions of this section.

4. The department shall maintain a record of the name of each registrant and the name of each minor receiving care from a registrant.

5. The department **may promulgate rules to authorize clinical trials involving hemp extract and shall promulgate rules to:**

(1) Implement the provisions of this section including establishing the information the applicant is required to provide to the department and establishing in accordance with recommendations from the department of public safety the form and content of the hemp extract registration card; and

(2) Regulate the distribution of hemp extract from a cannabidiol oil care center to a registrant, which shall be in addition to any other state [or federal] regulations[; and

The department may promulgate rules to authorize clinical trials involving hemp extract].

6. The department shall establish fees that are no greater than the amount necessary to cover the cost the department incurs to implement the provisions of this section.

7. The registration cards issued under this section shall be valid for one year and renewable if at the time of renewal the registrant meets the requirements of either subsection 2 or 3 of this section.

8. Only a neurologist or physician may recommend hemp extract and sign the recommendation described in subsection 2 or 3 of this section as part of the treatment plan of a patient diagnosed with intractable epilepsy or a serious condition.

9. The neurologist **or physician** who signs the [statement] **recommendation** described in subsection 2 or 3 of this section shall:

(1) Keep a record of the **physician or** neurologist's evaluation and observation of a patient who is a registrant or minor under a registrant's care including the patient's response to hemp extract; [and]

(2) Transmit the record described in subdivision (1) of this subsection to the department; **and**

(3) Notify the patient, or the patient's parent or guardian if the patient is a minor, prior to providing a recommendation, that hemp extract has not been approved by the Federal Drug Administration and by using such treatment the patient or parent is accepting the risks involved in using an unapproved product.

[9.] **10.** The department shall maintain a database of the records described in subsection [8] **9** of this section and treat the records as identifiable health data.

[10.] **11.** The department may share the records described in subsection [9] **10** of this section with a

higher education institution for the purpose of studying hemp extract.

[11.] 12. The department shall establish a public registry of physicians and neurologists who recommend hemp extract. A physician or neurologist recommending hemp extract shall be included on the registry by submitting an application to the department stating that the physician or neurologist's license from the state board of registration for the healing arts is active, unrestricted, and in good standing. The application shall also include the physician or neurologist's full name, Social Security number, office name, address, phone number, current email address, his or her state board of registration for the healing arts license number, and area of practice.

13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, shall be invalid and void.

192.947. 1. No individual or health care entity organized under the laws of this state shall be subject to any adverse action by the state or any agency, board, or subdivision thereof, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith upon or in furtherance of any order or recommendation by a neurologist or physician authorized under section 192.945 relating to the medical use and administration of hemp extract with respect to an eligible patient.

2. The provisions of subsection 1 of this section shall apply to the recommendation, possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract, including any act in preparation of such dispensing or administration.

3. This section shall not be construed to limit the rights provided under law for a patient to bring a civil action for damages against a physician, hospital, registered or licensed practical nurse, pharmacist, any other individual or entity providing health care services, or an employee of any entity listed in this subsection.”; and

Further amend said bill, Page 2, Section 195.206, Line 26, by inserting after all of said line the following:

“195.207. 1. As used in sections 192.945, 261.265, 261.267, and this section, the term “hemp extract” shall mean an extract from a cannabis plant or a mixture or preparation containing cannabis plant material that:

- (1) Is composed of no more than three-tenths percent tetrahydrocannabinol by weight;
- (2) Is composed of at least five percent cannabidiol by weight; and
- (3) Contains no other psychoactive substance.

2. Notwithstanding any other provision of this chapter **or chapter 579**, an individual who has been issued a valid hemp extract registration card under section 192.945, or is a minor under a registrant's care, and possesses or uses hemp extract is not subject to the penalties described in this chapter **or chapter 579**

for possession or use of the hemp extract if the individual:

(1) Possesses or uses the hemp extract only to treat intractable epilepsy **or a serious condition** as defined in section 192.945;

(2) Originally obtained the hemp extract from a sealed container with a label indicating the hemp extract's place of origin and a number that corresponds with a certificate of analysis;

(3) Possesses, in close proximity to the hemp extract, a certificate of analysis that:

(a) Has a number that corresponds with the number on the label described in subdivision (2) of this subsection;

(b) Indicates the hemp extract's ingredients including its percentages of tetrahydrocannabinol and cannabidiol by weight;

(c) Is created by a laboratory that is not affiliated with the producer of the hemp extract and is licensed in the state where the hemp extract was produced; and

(d) Is transmitted by the laboratory to the department of health and senior services; and

(4) Has a current hemp extract registration card issued by the department of health and senior services under section 192.945.

3. Notwithstanding any other provision of this chapter **or chapter 579**, an individual who possesses hemp extract lawfully under subsection 2 of this section and administers hemp extract to a minor suffering from intractable epilepsy **or a serious condition** is not subject to the penalties described in this chapter **or chapter 579** for administering the hemp extract to the minor if:

(1) The individual is the minor's parent or legal guardian; and

(2) The individual is registered with the department of health and senior services as the minor's parent under section 192.945.

4. An individual who has [been issued] a valid hemp extract registration card under section 192.945, or is a minor under a registrant's care, may possess up to twenty ounces of hemp extract pursuant to this section. Subject to any rules or regulations promulgated by the department of health and senior services, an individual may apply for a waiver if a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, twenty ounces is an insufficient amount to properly alleviate the patient's medical condition or symptoms associated with such medical condition.

261.265. 1. For purposes of this section, the following terms shall mean:

(1) "Cannabidiol oil care center", the premises specified in an application for a cultivation and production facility license in which the licensee is authorized to distribute processed hemp extract to persons possessing a hemp extract registration card issued under section 192.945;

(2) "Cultivation and production facility", the land and premises specified in an application for a cultivation and production facility license on which the licensee is authorized to grow, cultivate, process, and possess hemp and hemp extract;

(3) "Cultivation and production facility license", a license that authorizes the licensee to grow, cultivate, process, and possess hemp and hemp extract, and distribute hemp extract to its cannabidiol oil care centers;

(4) “Department”, the department of agriculture;

(5) “Grower”, a nonprofit entity issued a cultivation and production facility license by the department of agriculture that produces hemp extract for the treatment of intractable epilepsy **or a serious condition as such terms are defined under section 192.945;**

(6) “Hemp”:

(a) All nonseed parts and varieties of the cannabis sativa plant, whether growing or not, that contain a crop-wide average tetrahydrocannabinol (THC) concentration that does not exceed the lesser of:

a. Three-tenths of one percent on a dry weight basis; or

b. The percent based on a dry weight basis determined by the federal Controlled Substances Act under 21 U.S.C. Section 801, et seq.;

(b) Any cannabis sativa seed that is:

a. Part of a growing crop;

b. Retained by a grower for future planting; or

c. For processing into or use as agricultural hemp seed.

This term shall not include industrial hemp commodities or products;

(7) “Hemp monitoring system”, an electronic tracking system that includes, but is not limited to, testing and data collection established and maintained by the cultivation and production facility and is available to the department for the purposes of documenting the hemp extract production and retail sale of the hemp extract.

2. The department shall issue a cultivation and production facility license to a nonprofit entity to grow or cultivate the cannabis plant used to make hemp extract as defined in subsection 1 of section 195.207 or hemp on the entity’s property if the entity **has been a resident of the state for at least five years, has completed a state and federal fingerprint-based criminal record check in accordance with section 43.543 and has paid all applicable criminal background check fees in accordance with section 43.530,** has submitted to the department an application as required by the department under subsection 7 of this section, the entity meets all requirements of this section and the department’s rules, and there are fewer than [two] **ten** licensed cultivation and production facilities operating in the state. **Any cultivation and production facility license issued before August 28, 2016, shall continue to be valid as originally licensed even if the licensed entity does not meet the residency requirement under this subsection.**

3. A grower may produce and manufacture hemp and hemp extract, and distribute hemp extract as defined in section 195.207 for the treatment of persons suffering from intractable epilepsy [as defined in section 192.945] **or a serious condition,** consistent with any and all state or federal regulations regarding the production, manufacture, or distribution of such product. The department shall not issue more than [two] **ten** cultivation and production facility licenses for the operation of such facilities at any one time.

4. The department shall maintain a list of growers.

5. All growers shall keep records in accordance with rules adopted by the department. Upon at least three days’ notice, the director of the department may audit the required records during normal business hours. The director may conduct an audit for the purpose of ensuring compliance with this section.

6. In addition to an audit conducted in accordance with subsection 5 of this section, the director may inspect independently, or in cooperation with the state highway patrol or a local law enforcement agency, any hemp crop during the crop's growth phase and take a representative composite sample for field analysis. If a crop contains an average tetrahydrocannabinol (THC) concentration exceeding the lesser of:

(1) Three-tenths of one percent on a dry weight basis; or

(2) The percent based on a dry weight basis determined by the federal Controlled Substances Act under 21 U.S.C. Section 801, et seq.,

the director may detain, seize, or embargo the crop.

7. The department shall promulgate rules including, but not limited to:

(1) Application requirements for licensing, including requirements for the submission of fingerprints and the completion of a criminal background check;

(2) Security requirements for cultivation and production facility premises, including, at a minimum, lighting, physical security, video and alarm requirements;

(3) Rules relating to hemp monitoring systems as defined in this section;

(4) Other procedures for internal control as deemed necessary by the department to properly administer and enforce the provisions of this section, including reporting requirements for changes, alterations, or modifications of the premises;

(5) Requirements that any hemp extract received from a legal source be submitted to a testing facility designated by the department to ensure that such hemp extract complies with the provisions of section 195.207 and to ensure that the hemp extract does not contain any pesticides. Any hemp extract that is not submitted for testing or which after testing is found not to comply with the provisions of section 195.207 shall not be distributed or used and shall be submitted to the department for destruction; [and]

(6) Rules regarding the manufacture, storage, and transportation of hemp and hemp extract, which shall be in addition to any other state or federal regulations; **and**

(7) Rules establishing fees that are no greater than the amount necessary to cover the cost the department incurs to administer the provisions of this section.

8. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, **shall be invalid and void.**

9. All hemp waste from the production of hemp extract shall either be destroyed, recycled by the licensee at the hemp cultivation and production facility, or donated to the department or an institution of higher education for research purposes, and shall not be used for commercial purposes.

10. In addition to any other liability or penalty provided by law, the director may revoke or refuse to issue or renew a cultivation and production facility license and may impose a civil penalty on a grower for any violation of this section, or section 192.945 or 195.207. The director may not impose a civil penalty under this section that exceeds two thousand five hundred dollars.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 2** is out of order as it changes the title and expands the scope of the bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **HB 1568**, with **SA 2** and point of order (pending), on the Informal Calendar.

HCS for **HB 2030**, with **SCS**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

Was taken up by Senator Silvey.

SCS for **HCS** for **HB 2030**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2030

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax deductions for employee stock ownership plans.

Was taken up.

Senator Silvey moved that **SCS** for **HCS** for **HB 2030** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **HCS** for **HB 2030** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—28

NAYS—Senators

Keaveny Walsh—2

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1682, introduced by Representative Frederick, with **SCS**, entitled:

An Act amend chapter 324, RSMo, by adding thereto one new section relating to the medical practice freedom act.

Was taken up by Senator Wasson.

SCS for **HB 1682**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1682

An Act to repeal sections 334.040 and 376.1237, RSMo, and to enact in lieu thereof six new sections relating to health care providers.

Was taken up.

Senator Wasson moved that **SCS** for **HB 1682** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1682, Page 1, Section A, Line 3, by inserting after all of said line the following:

“191.332. 1. By January 1, 2002, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include potentially treatable or manageable disorders, which may include but are not limited to cystic fibrosis, galactosemia, biotinidase deficiency, congenital adrenal hyperplasia, maple syrup urine disease (MSUD) and other amino acid disorders, glucose-6-phosphate dehydrogenase deficiency (G-6-PD), MCAD and other fatty acid oxidation disorders, methylmalonic acidemia, propionic acidemia, isovaleric acidemia and glutaric acidemia Type I.

2. By January 1, 2017, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include severe combined immunodeficiency (SCID), also known as bubble boy disease. The department may increase the fee authorized under subsection 6 of section 191.331 to cover any additional costs of the expanded newborn screening requirements under this subsection.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1682, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department of health and senior services the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate;

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program

established in section 191.1085.

6. The council shall submit an annual report to the general assembly which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department of health and senior services.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities, including but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council established in section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1682, Page 6, Section 376.1237, Line 22, by inserting after all of said line the following:

“376.2020. 1. For purposes of this section, the following terms shall mean:

(1) “Contractual payment amount” or “payment amount”, shall mean the total amount a health care provider is to be paid for providing a given health care service pursuant to a contract with a health carrier, and includes both the portions to be paid by the patient and by the health carrier. It is commonly referred to as the allowable amount;

(2) “Enrollee”, shall have the same meaning ascribed to it in section 376.1350;

(3) “Health care provider”, shall have the same meaning ascribed to it in section 376.1350;

(4) “Health care service”, shall have the same meaning ascribed to it in section 376.1350;

(5) “Health carrier”, shall have the same meaning ascribed to it in section 376.1350.

2. No provision in a contract in existence or entered into, amended, or renewed on or after August 28, 2016, between a health carrier and a health care provider shall be enforceable if such contractual provision prohibits, conditions, or in any way restricts any party to such contract from disclosing to an enrollee, patient, potential patient, or such person’s parent or legal guardian, the contractual payment amount for a health care service if such payment amount is less than the health care provider’s usual charge for the health care service, and if such contractual provision prevents the determination of the potential out-of-pocket cost for the health care service by the enrollee, patient, potential patient, parent, or legal guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Riddle offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 1682, Page 6, Section 376.1237, Line 22, by inserting after all of said line the following:

“630.175. 1. No person admitted on a voluntary or involuntary basis to any mental health facility or mental health program in which people are civilly detained pursuant to chapter 632 and no patient, resident or client of a residential facility or day program operated, funded or licensed by the department shall be subject to physical or chemical restraint, isolation or seclusion unless it is determined by the head of the facility, the attending licensed physician, or in the circumstances specifically set forth in this section, by an advanced practice registered nurse in a collaborative practice arrangement, or a physician assistant or an assistant physician with a supervision agreement, with the attending licensed physician that the chosen intervention is imminently necessary to protect the health and safety of the patient, resident, client or others and that it provides the least restrictive environment. An advanced practice registered nurse in a collaborative practice arrangement, or a physician assistant or an assistant physician with a supervision

agreement, with the attending licensed physician may make a determination that the chosen intervention is necessary for patients, residents, or clients of facilities or programs operated by the department, in hospitals as defined in section 197.020 that only provide psychiatric care and in dedicated psychiatric units of general acute care hospitals as hospitals are defined in section 197.020. Any determination made by the advanced practice registered nurse, **physician assistant, or assistant physician** shall be documented as required in subsection 2 of this section and reviewed in person by the attending licensed physician if the episode of restraint is to extend beyond:

- (1) Four hours duration in the case of a person under eighteen years of age;
- (2) Eight hours duration in the case of a person eighteen years of age or older; or

(3) For any total length of restraint lasting more than four hours duration in a twenty-four-hour period in the case of a person under eighteen years of age or beyond eight hours duration in the case of a person eighteen years of age or older in a twenty-four-hour period.

The review shall occur prior to the time limit specified under subsection 6 of this section and shall be documented by the licensed physician under subsection 2 of this section.

2. Every use of physical or chemical restraint, isolation or seclusion and the reasons therefor shall be made a part of the clinical record of the patient, resident or client under the signature of the head of the facility, or the attending licensed physician, or the advanced practice registered nurse in a collaborative practice arrangement, **or a physician assistant or an assistant physician with a supervision agreement**, with the attending licensed physician.

3. Physical or chemical restraint, isolation or seclusion shall not be considered standard treatment or habilitation and shall cease as soon as the circumstances causing the need for such action have ended.

4. The use of security escort devices, including devices designed to restrict physical movement, which are used to maintain safety and security and to prevent escape during transport outside of a facility shall not be considered physical restraint within the meaning of this section. Individuals who have been civilly detained under sections 632.300 to 632.475 may be placed in security escort devices when transported outside of the facility if it is determined by the head of the facility, or the attending licensed physician, or the advanced practice registered nurse in a collaborative practice arrangement, **or a physician assistant or an assistant physician with a supervision agreement**, with the attending licensed physician that the use of security escort devices is necessary to protect the health and safety of the patient, resident, client, or other persons or is necessary to prevent escape. Individuals who have been civilly detained under sections 632.480 to 632.513 or committed under chapter 552 shall be placed in security escort devices when transported outside of the facility unless it is determined by the head of the facility, or the attending licensed physician, or the advanced practice registered nurse in a collaborative practice arrangement, **or a physician assistant or an assistant physician with a supervision agreement**, with the attending licensed physician that security escort devices are not necessary to protect the health and safety of the patient, resident, client, or other persons or is not necessary to prevent escape.

5. Extraordinary measures employed by the head of the facility to ensure the safety and security of patients, residents, clients, and other persons during times of natural or man-made disasters shall not be considered restraint, isolation, or seclusion within the meaning of this section.

6. Orders issued under this section by the advanced practice registered nurse in a collaborative practice arrangement, **or a physician assistant or an assistant physician with a supervision agreement**, with the

attending licensed physician shall be reviewed in person by the attending licensed physician of the facility within twenty-four hours or the next regular working day of the order being issued, and such review shall be documented in the clinical record of the patient, resident, or client.

7. For purposes of this subsection, “division” shall mean the division of developmental disabilities. Restraint or seclusion shall not be used in habilitation centers or community programs that serve persons with developmental disabilities that are operated or funded by the division unless such procedure is part of an emergency intervention system approved by the division and is identified in such person’s individual support plan. Direct-care staff that serve persons with developmental disabilities in habilitation centers or community programs operated or funded by the division shall be trained in an emergency intervention system approved by the division when such emergency intervention system is identified in a consumer’s individual support plan.”; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Bill No. 1682, Page 1, Section A, Line 3, by inserting immediately after all of said line the following:

“192.947. 1. No individual or health care entity organized under the laws of this state shall be subject to any adverse action by the state or any agency, board, or subdivision thereof, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith upon or in furtherance of any order or recommendation by a neurologist authorized under section 192.945 relating to the medical use and administration of hemp extract with respect to an eligible patient.

2. The provisions of subsection 1 of this section shall apply to the recommendation, possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract, including any act in preparation of such dispensing or administration.

3. This section shall not be construed to limit the rights provided under law for a patient to bring a civil action for damages against a physician, hospital, registered or licensed practical nurse, pharmacist, any other individual or entity providing health care services, or an employee of any entity listed in this subsection.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

Senator Wasson moved that **SCS for HB 1682**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS for HB 1682** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senator Schupp—1

Absent—Senators

Hegeman Schatz Walsh—3

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2355, introduced by Representative Lant, entitled:

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the juvenile justice advisory board.

Was called from the Informal Calendar and taken up by Senator Sater.

Senator Sater offered **SS** for **HB 2355**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 2355

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the juvenile justice advisory board.

Senator Sater moved that **SS** for **HB 2355** be adopted, which motion prevailed.On motion of Senator Sater, **SS** for **HB 2355** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1763, introduced by Representative Gosen, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to workers' compensation large deductible policies, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Wieland.

On motion of Senator Wieland, **HB 1763** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators—None

Absent—Senators

Keaveny Schatz—2

Absent with leave—Senator Parson—1

Vacancies—2

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1721, introduced by Representative Dugger, entitled:

An Act to repeal section 370.230, RSMo, and to enact in lieu thereof one new section relating to credit union supervisory committees.

Was called from the Informal Calendar and taken up by Senator Cunningham.

On motion of Senator Cunningham, **HB 1721** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators

Schatz Schupp—2

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown moved that **HB 1568**, with **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Keaveny, **SA 2** was withdrawn, rendering the point of order moot.

On motion of Senator Brown, **HB 1568**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators

Schatz Schupp—2

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Wallingford moved that **SS** for **HCS** for **HB 1877** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1877** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators—None

Absent—Senators

Schatz Schupp—2

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SS No. 2** for **SB 847**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1679**, entitled:

An Act to repeal section 338.010, RSMo, and to enact in lieu thereof three new sections relating to contraceptives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1468**, entitled:

An Act to repeal sections 563.031, 571.030, and 571.101, RSMo, and to enact in lieu thereof six new section relating to firearms, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1754**, entitled:

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1867**, entitled:

An Act to repeal sections 287.037 and 287.090, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 620 & 582**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SB 655**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 639**, entitled:

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, and 56.840, RSMo, and to enact in lieu thereof eight new sections relating to public employee retirement systems.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 639, Page 9, Section 70.621, Line 24, by inserting after all of said section and line the following:

“169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member’s final average salary:

(1) Two and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years. In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Two and four-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Two and thirty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Two and three-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Two and twenty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Two and two-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2014,] Two and fifty-five hundredths percent of the member’s

final average salary for each year of membership service, if the member's creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving

children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the

beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the

system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not

become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996,

the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests.

As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

Section B. Because of the importance of providing an additional retirement allowance option to Missouri teachers, section 169.070 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 169.070 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 639, Page 9, Section 70.621, Line 24, by inserting after all of said line the following:

“105.669. 1. Any participant of a plan who is [found guilty] **convicted** of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant's duties as an employee on or after August 28, 2014, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after August 28, 2014, except a participant may still request from the respective retirement system a refund of the participant's plan contributions, including interest credited to the participant's account.

2. [Upon a finding of guilt, the court shall forward a notice of the court's finding to] **The employer of any participant who is charged or convicted of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant's duties as an employee on or after August 28, 2014, shall notify** the appropriate retirement system in which the offender was a participant[. The court shall also make a determination on the value of the money, property, or services involved in committing the offense] **and provide information in connection with such charge or conviction.** The plans shall take all actions necessary to implement the provisions of this section.

3. [The finding of guilt for] **A felony conviction based on** any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:

- (1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];
- (2) The offense of felony receiving stolen property under section 570.080 when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];
- (3) The offense of forgery under section 570.090;
- (4) The offense of felony counterfeiting under section 570.103;
- (5) The offense of bribery of a public servant under section 576.010; or
- (6) The offense of acceding to corruption under section 576.020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 639, Page 9, Section 70.621, Line 24, by inserting after all of said section and line the following:

“169.141. 1. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

- (1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;
- (2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.010 to 169.140 who elected a reduced retirement allowance under subsection 3 of section 169.070 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

- (1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2016;**
- (2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and**

(3) The person receives a retirement allowance under subsection 3 of section 169.070.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:

(1) A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(2) A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any retirant who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the retirant elected any of the options available under section 169.326. Any retirant who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the retirant elected any of the options available under section 169.326). Any beneficiary of a deceased retirant who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. **In addition to the conditions set forth above, this subsection shall apply to any person retired and currently receiving a retirement allowance under sections 169.270 to 169.400, other than for disability, who is employed by a third party or is performing work as an independent contractor if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.** If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint

and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement

action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.560. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the [employing] district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the [employing] school district does not utilize a salary schedule, or if the position in question is not subject to the [employing] district's salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the [employing] school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such a district [on a regular, full-time basis,] **in excess of the limitations set forth in this section**, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. **In addition, such person [and] shall contribute to the retirement system if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this section shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree subject to this section to provide documentation showing compliance with this section. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this section.**

169.715. 1. Any person receiving a retirement allowance under sections 169.600 to 169.712, and who elected a reduced retirement allowance under subsection 4 of section 169.670 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application

for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.600 to 169.715 who elected a reduced retirement allowance under subsection 4 of section 169.670 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

(1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2016;

(2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and

(3) The person receives a retirement allowance under subsection 4 of section 169.670.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 639, Page 7 Line 39 to Page 12, Line 38, by deleting all of said lines and inserting in lieu thereof the following:

“86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) “Accumulated contributions”, the sum of all mandatory contributions deducted from the compensation of a member and credited to the member’s individual account, together with members’ interest thereon;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) “Average final compensation”:

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member’s last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member’s entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the

member's last two years of creditable service as a [policeman] **police officer**, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(6) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(7) "DROP", the deferred retirement option plan provided for in section 86.251;

(8) "Earnable compensation", the annual salary established under section 84.160 which a member would earn during one year on the basis of the member's rank or position plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time,

court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a “noneligible participant” is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(9) “Internal Revenue Code”, the federal Internal Revenue Code of 1986, as amended;

(10) “Mandatory contributions”, the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(11) “Medical board”, the health care organization appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations;

(12) “Member”, a member of the retirement system as defined by sections 86.200 to 86.366;

(13) “Members’ interest”, interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

(14) “Membership service”, service as a [policeman] **police officer** rendered since last becoming a member, except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a [policeman] **police officer**, in which case “membership service” means service as a [policeman] **police officer** rendered since last becoming a member prior to entering such armed service;

(15) “Plan year” or “limitation year”, the twelve consecutive-month period beginning each October first and ending each September thirtieth;

(16) [“Policeman” or] “Police officer”, any member of the police force of such cities who holds a rank in such police force;

(17) “Prior service”, all service as a [policeman] **police officer** rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

(18) “Reserve officer”, any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

(19) “Retirement allowance”, annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

(20) “Retirement system”, the police retirement system of the cities as defined in sections 86.200 to 86.366;

(21) “Surviving spouse”, the surviving spouse of a member who was the member’s spouse at the time of the member’s death.

86.207. 1. Except as provided herein, all persons who become [policemen] **police officers** and all [policemen] **police officers** who enter or reenter the service of any city not within a county after the first day of October, 1957, become members as a condition of their employment and shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city not within a county or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city not within a county or the state of Missouri for the same period of service, anything to the contrary notwithstanding. Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a [policeman] **police officer** may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under [section] **sections 86.200 to 86.366**. However, an employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a [policeman] **police officer** may elect to transfer membership and creditable service to the police retirement system created under [section] **sections 86.200 to 86.366**. Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans; provided however, transfers completed [prior to January 1, 2016,] **within one year of becoming a police officer** shall occur without regard to the vesting requirements of the receiving plan contained in section 105.691. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a [policeman] **police officer**. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.

86.210. 1. Under such rules and regulations as the board of trustees shall adopt, each member who was a [policeman] **police officer** on and prior to the date the retirement system becomes operative and who becomes a member within one year from such date and each member who was a [policeman] **police officer** prior to reentering the service of the city as a [policeman] **police officer**, shall file a detailed statement of all service as a [policeman] **police officer** rendered by the member prior to the date the retirement system

becomes operative or prior to the date of last becoming a member, for which the member claims credit. If such member has withdrawn the member's accumulated contributions prior to reentering said service, then the member shall repay all such accumulated contributions plus the applicable members' interest thereon from the date of withdrawal to the date of repayment in order to receive credit for such prior service.

2. The board of trustees shall fix and determine by proper rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the board of trustees allow credit as service for any period of more than one month's duration during which the member was absent without pay.

3. Subject to the above restrictions and to such other rules and regulations as the board of trustees may adopt, the board of trustees shall verify the service claims as soon as practicable after the filing of such statement of service.

4. Upon verification of the statements of service the board of trustees shall issue prior service certificates, certifying to each member the length of prior service with which the member is credited on the basis of such member's statement of service. So long as the holder of such a certificate continues to be a member, a prior service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance or modification of such certificate, request the board of trustees to modify or correct such prior service certificate. When any [policeman] **police officer** ceases to be a member, the former member's prior service certificate shall become void. Should the former member again become a member, the former member shall enter the retirement system as a member not entitled to prior service credit except as provided in sections 86.200 to 86.366.

5. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of the membership service rendered by the member since last becoming a member and also if the member has a prior service certificate which is in full force and effect, the amount of the service certified on such prior service certificate.

86.253. 1. Upon termination of employment as a police officer and actual retirement for service, a member shall receive a service retirement allowance which shall be an amount equal to two percent of the member's average final compensation multiplied by the number of years of the member's creditable service, up to twenty-five years, plus an amount equal to four percent of the member's average final compensation for each year of creditable service in excess of twenty-five years but not in excess of thirty years; plus an additional five percent of the member's average final compensation for any creditable service in excess of thirty years. Notwithstanding the foregoing, the service retirement allowance of a member who does not earn any creditable service after August 11, 1999, shall not exceed an amount equal to seventy percent of the member's average final compensation, and the service retirement allowance of a member who earns creditable service on or after August 12, 1999, shall not exceed an amount equal to seventy-five percent of the member's average final compensation; provided, however, that the service retirement allowance of a member who is participating in the DROP pursuant to section 86.251 on August 12, 1999, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer and actually retires for reasons other than death or disability before earning at least two years of creditable service after such return shall be the sum of (1) the member's service retirement allowance as of the date the member entered DROP and (2) an additional service retirement allowance based solely on the creditable service earned by the member following the member's return to active participation. The

member's total years of creditable service shall be taken into account for the purpose of determining whether the additional allowance attributable to such additional creditable service is two percent, four percent or five percent of the member's average final compensation.

2. If, at any time since first becoming a member of the retirement system, the member has served in the Armed Forces of the United States, and has subsequently been reinstated as a [policeman] **police officer** within ninety days after the member's discharge, the member shall be granted credit for such service as if the member's service in the police department of such city had not been interrupted by the member's induction into the Armed Forces of the United States. If earnable compensation is needed for such period in computation of benefits it shall be calculated on the basis of the compensation payable to the officers of the member's rank during the period of the member's absence. Notwithstanding any provision of sections 86.200 to 86.366 to the contrary, the retirement system governed by sections 86.200 to 86.366 shall be operated and administered in accordance with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended.

3. The service retirement allowance of each present and future retired member who terminated employment as a police officer and actually retired from service after attaining age fifty-five or after completing twenty years of creditable service shall be increased annually at a rate not to exceed three percent as approved by the board of trustees beginning with the first increase in the second October following the member's retirement and subsequent increases in each October thereafter, provided that each increase is subject to a determination by the board of trustees that the consumer price index (United States City Average Index) as published by the United States Department of Labor shows an increase of not less than the approved rate during the latest twelve-month period for which the index is available at the date of determination; and provided further, that if the increase is in excess of the approved rate for any year, such excess shall be accumulated as to any retired member and increases may be granted in subsequent years subject to a maximum of three percent for each full year from October following the member's retirement but not to exceed a total percentage increase of thirty percent. In no event shall the increase described under this subsection be applied to the amount, if any, paid to a member or surviving spouse of a deceased member for services as a special consultant under subsection 5 of this section [or, if applicable, subsection 6 of this section]. If the board of trustees determines that the index has decreased for any year, the benefits of any retired member that have been increased shall be decreased but not below the member's initial benefit. No annual increase shall be made of less than one percent and no decrease of less than three percent except that any decrease may be limited in amount by the initial benefit.

4. In addition to any other retirement allowance payable under this section and section 86.250, a member, upon termination of employment as police officer and actual service retirement, may request payment of the total amount of the member's mandatory contributions to the retirement system without interest. Upon receipt of such request, the board shall pay the retired member such total amount of the member's mandatory contributions to the retirement system to be paid pursuant to this subsection within sixty days after such retired member's date of termination of employment as a police officer and actual retirement.

5. Any person who is receiving retirement benefits from the retirement system, upon application to the board of trustees, shall be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of retirement, aging and other matters, for the remainder of the person's life or, in the case of a deceased member's surviving spouse, until the earlier of the person's death or remarriage, and upon request of the board of trustees shall give opinions and be available to give opinions in writing

or orally, in response to such requests, as may be required. For such services the special consultant shall be compensated monthly, in an amount which, when added to any monthly retirement benefits being received from the retirement system, including any cost-of-living increases under subsection 3 of this section, shall total six hundred fifty dollars a month. This employment shall in no way affect any person's eligibility for retirement benefits under this chapter, or in any way have the effect of reducing retirement benefits, notwithstanding any provisions of law to the contrary.

86.267. 1. Upon termination of employment as a police officer and actual retirement for accidental disability, other than permanent total disability as defined in subsection 2, a member shall receive a retirement allowance of seventy-five percent of the member's average final compensation.

2. Any member who, as the natural and proximate result of an accident occurring at some definite time and place in the actual performance of the member's duty through no negligence on the member's part, is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever shall receive a retirement allowance as under subsection 1 or, in the discretion of the board of trustees, may receive a larger retirement allowance in an amount not exceeding the member's rate of compensation as a [policeman] **police officer** in effect as of the date the allowance begins.

3. The board of trustees, in its discretion, may, in addition to the allowance granted in accordance with the provisions of subsections 1 and 2, grant an allowance in an amount to be determined by the board of trustees, to provide such member with surgical, medical and hospital care reasonably required after retirement, which are the result and in consequence of the accident causing such disability.

4. Any person who is receiving benefits pursuant to subsection 2 of this section on or after August 28, 1997, and any person who is receiving benefits pursuant to subsection 1 of this section on or after October 1, 2001, and who made mandatory contributions to the retirement system, upon application to the board of trustees, shall be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of retirement, aging and other matters, and upon request of the board of trustees shall give opinions and be available to give opinions in writing or orally, in response to such requests, as may be required. For such services the retired member shall be paid a lump sum payment in an amount equal to the total amount of the member's mandatory contributions to the retirement system, without interest, within sixty days after approval of the retired member's application by the board of trustees.

86.290. Should a member cease to be a [policeman] **police officer** except by death or actual retirement, the member may request payment of the amount of the accumulated contributions standing to the credit of the member's individual account, including members' interest, in which event such amount shall be paid to the member not later than one year after the member ceases to be a [policeman] **police officer**. If the former member is reemployed as a [policeman] **police officer** before any portion of such former member's accumulated contributions is distributed, no distribution shall be made. If the former member is reemployed as a [policeman] **police officer** after a portion of the former member's accumulated contributions is distributed, the amount remaining shall also be distributed.

86.360. The board of trustees provided for by section 86.213 is hereby authorized to consolidate, combine and transfer funds provided by sections 86.010 to 86.193 with the funds provided by sections 86.200 to 86.366 in such a manner as will simplify the operations of the two systems. Separate records shall be maintained only to the extent necessary to determine and pay the benefits provided by sections 86.010 to 86.193 for those [policemen] **police officers** electing not to become members of the retirement system provided by sections 86.200 to 86.366. The board of trustees may accept the membership records of the

older system in lieu of the requirements in section 86.210. The board of trustees may authorize the use of the same actuarial assumptions and interest rate in the calculation of the contributions by the cities for both systems and the accrued liability rate may be a combined rate for both systems.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 639, Page 8, Section 56.840, Line 25, by inserting after all of said line the following:

“70.600. The following words and phrases as used in sections 70.600 to 70.755, unless a different meaning is plainly required by the context, shall mean:

(1) “Accumulated contributions”, the total of all amounts deducted from the compensations of a member and standing to the member’s credit in his or her individual account in the members deposit fund, together with investment credits thereon;

(2) “Actuarial equivalent”, a benefit of equal reserve value;

(3) “Allowance”, the total of the annuity and the pension. All allowances shall be paid not later than the tenth day of each calendar month;

(4) “Annuity”, a monthly amount derived from the accumulated contributions of a member and payable by the system throughout the life of a person or for a temporary period;

(5) “Beneficiary”, any person who is receiving or designated to receive a system benefit, except a retiree;

(6) “Benefit program”, a schedule of benefits or benefit formulas from which the amounts of system benefits can be determined;

(7) “Board of trustees” or “board”, the board of trustees of the system;

(8) “Compensation”, the remuneration paid an employee by a political subdivision or by an elected fee official of the political subdivision for personal services rendered by the employee for the political subdivision or for the elected fee official in the employee’s public capacity; provided, that for an elected fee official, “compensation” means that portion of his or her fees which is net after deduction of (a) compensation paid by such elected fee official to his or her office employees, if any, and (b) the ordinary and necessary expenses paid by such elected fee official and attributable to the operation of his or her office. In cases where an employee’s compensation is not all paid in money, the political subdivision shall fix the reasonable value of the employee’s compensation not paid in money. In determining compensation no consideration shall be given to:

(a) Any nonrecurring single sum payment paid by an employer;

(b) Employer contributions to any employee benefit plan or trust;

(c) Any other unusual or nonrecurring remuneration; or

(d) Compensation in excess of the limitations set forth in Internal Revenue Code Section 401(a)(17). The limitation on compensation for eligible employees shall not be less than the amount which was allowed to be taken into account under the system as in effect on July 1, 1993. For purposes of this paragraph, an “eligible employee” is an individual who was a member of the system before the first plan year beginning

after December 31, 1995;

(9) “Credited service”, the total of a member’s prior service and membership service, to the extent such service is standing to the member’s credit as provided in sections 70.600 to 70.755;

(10) “Employee”, any person regularly employed by a political subdivision who receives compensation from the political subdivision for personal services rendered the political subdivision, including any elected official of the political subdivision whose position requires his or her regular personal services and who is compensated wholly or in part on a fee basis, and including the employees of such elected fee officials who may be compensated by such elected fee officials. The term “employee” may include any elected county official. The term “employee” shall not include any person:

(a) Who is not an elected official of the political subdivision and who is included as an active member in any other plan similar in purpose to this system by reason of his or her employment with his or her political subdivision, except the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended; or

(b) Who acts for the political subdivision under contract; or

(c) Who is paid wholly on a fee basis, except elected officials and their employees; or

(d) Who holds the position of mayor, presiding judge, president or chairman of the political subdivision or is a member of the governing body of the political subdivision; except that, such an official of a political subdivision having ten or more other employees may become a member if the official is covered under the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended, by reason of such official’s employment with his or her political subdivision, by filing written application for membership with the board after the date the official qualifies for such position or within thirty days after the date his or her political subdivision becomes an employer, whichever date is later;

(11) “Employer”, any political subdivision which has elected to have all its eligible employees covered by the system;

(12) “Final average salary”, the monthly average of the compensations paid an employee during the period of sixty or, if an election has been made in accordance with section 70.656, thirty-six consecutive months of credited service producing the highest monthly average, which period is contained within the period of one hundred twenty consecutive months of credited service immediately preceding his or her termination of membership. Should a member have less than sixty or, if an election has been made in accordance with section 70.656, thirty-six months of credited service, “final average salary” means the monthly average of compensation paid the member during his or her total months of credited service;

(13) “[Fireman] **Firefighter**”, any regular or permanent employee of the fire department of a political subdivision, including a probationary [fireman] **firefighter**. The term “[fireman] **firefighter**” shall not include:

(a) Any volunteer [fireman] **firefighter**; [or]

(b) Any civilian employee of a fire department, **except as provided in section 70.631**; or

(c) Any person temporarily employed as a [fireman] **firefighter** for an emergency;

(14) “Member”, any employee included in the membership of the system;

(15) “Membership service”, employment as an employee with the political subdivision from and after

the date such political subdivision becomes an employer, which employment is creditable as service hereunder;

(16) “Minimum service retirement age”, age sixty for a member who is neither a [policeman] **police officer** nor a [fireman] **firefighter**; “minimum service retirement age”, age fifty-five for a member who is a [policeman] **police officer** or a [fireman] **firefighter**;

(17) “Pension”, a monthly amount derived from contributions of an employer and payable by the system throughout the life of a person or for a temporary period;

(18) “[Policeman] **Police officer**”, any regular or permanent employee of the police department of a political subdivision, including a probationary [policeman] **police officer**. The term “[policeman] **police officer**” shall not include:

(a) Any civilian employee of a police department, **except as provided in section 70.631**; or

(b) Any person temporarily employed as a [policeman] **police officer** for an emergency;

(19) “Political subdivision”, any governmental subdivision of this state created pursuant to the laws of this state, and having the power to tax, except public school districts; a board of utilities or a board of public works which is required by charter or ordinance to establish the compensation of employees of the utility separate from the compensation of other employees of the city may be considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;

(20) “Prior service”, employment as an employee with the political subdivision prior to the date such political subdivision becomes an employer, which employment is creditable as service hereunder;

(21) “Regular interest” or “investment credits”, such reasonable rate or rates per annum, compounded annually, as the board shall adopt annually;

(22) “Reserve”, the present value of all payments to be made on account of any system benefit based upon such tables of experience and regular interest as the board shall adopt from time to time;

(23) “Retirant”, a former member receiving a system allowance by reason of having been a member;

(24) “Retirement system” or “system”, the Missouri local government employees’ retirement system.

70.605. 1. For the purpose of providing for the retirement or pensioning of the officers and employees and the widows and children of deceased officers and employees of any political subdivision of the state, there is hereby created and established a retirement system which shall be a body corporate, which shall be under the management of a board of trustees herein described, and shall be known as the “Missouri Local Government Employees’ Retirement System”. Such system may sue and be sued, transact business, invest funds, and hold cash, securities, and other property. All suits or proceedings directly or indirectly against the system shall be brought in Cole County. The system shall begin operations on the first day of the calendar month next following sixty days after the date the board of trustees has received certification from ten political subdivisions that they have elected to become employers.

2. The general administration and the responsibility for the proper operation of the system is vested in a board of trustees of seven persons: three persons to be elected as trustees by the members of the system; three persons to be elected trustees by the governing bodies of employers; and one person, to be appointed by the governor, who is not a member, retirant, or beneficiary of the system and who is not a member of

the governing body of any political subdivision.

3. Trustees shall be chosen for terms of four years from the first day of January next following their election or appointment, except that of the first board shall all be appointed by the governor by and with the consent of the senate, as follows:

(1) Three persons who are officers or officials of political subdivisions, one for a term of three years, one for a term of two years, and one for a term of one year; and

(2) Three persons who are employees of political subdivisions and who would, if the subdivision by which they are employed becomes an employer, be eligible as members, one for a term of three years, one for a term of two years, and one for a term of one year; and

(3) That person appointed by the governor under the provisions of subsection 2 of this section. All the members of the first board shall take office as soon as appointed by the governor, but their terms shall be computed from the first day of January next following their appointment, and only one member may be from any political subdivision or be a [policeman] **police officer** or [fireman] **firefighter**.

4. Successor trustees elected or appointed as member trustees shall be members of the retirement system; provided, that not more than one member trustee shall be employed by any one employer, and not more than one member trustee shall be a [policeman] **police officer**, and not more than one member trustee shall be a [fireman] **firefighter**.

5. Successor trustees elected as employer trustees shall be elected or appointed officials of employers and shall not be members of the retirement system; provided, that not more than one employer trustee shall be from any one employer.

6. An annual meeting of the retirement system shall be called by the board in the last calendar quarter of each year in Jefferson City, or at such place as the board shall determine, for the purpose of electing trustees and to transact such other business as may be required for the proper operation of the system. Notice of such meeting shall be sent by registered mail to the clerk or secretary of each employer not less than thirty days prior to the date of such meeting. The governing body of each employer shall certify to the board the name of one delegate who shall be an officer of the employer, and the members of the employer shall certify to the board a member of the employer to represent such employer at such meeting. The delegate certified as member delegate shall be elected by secret ballot by the members of such employer, and the clerk or secretary of each employer shall be charged with the duty of conducting such election in a manner which will permit each member to vote in such election. Under such rules and regulations as the board shall adopt, approved by the delegates, the member delegates shall elect a member trustee for each such position on the board to be filled, and the officer delegates shall elect an employer trustee for each such position on the board to be filled.

7. In the event any member trustee ceases to be a member of the retirement system, or any employer trustee ceases to be an appointed or elected official of an employer, or becomes a member of the retirement system, or if the trustee appointed by the governor becomes a member of the retirement system or an elected or appointed official of a political subdivision, or if any trustee fails to attend three consecutive meetings of the board, unless in each case excused for cause by the remaining trustees attending such meeting or meetings, he or she shall be considered as having resigned from the board and the board shall, by resolution, declare his or her office of trustee vacated. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled; provided, however, that

the remaining trustees may fill employer and member trustee vacancies on the board until the next annual meeting.

8. Each trustee shall be commissioned by the governor, and before entering upon the duties of his or her office, shall take and subscribe to an oath or affirmation to support the Constitution of the United States, and of the state of Missouri, and to demean himself **or herself** faithfully in his **or her** office. Such oath as subscribed to shall be filed in the office of the secretary of state of this state.

9. Each trustee shall be entitled to one vote in the board of trustees. Four votes shall be necessary for a decision by the trustees at any meeting of the board of trustees. Four trustees, of whom at least two shall be member trustees and at least two shall be employer trustees, shall constitute a quorum at any meeting of the board. Unless otherwise expressly provided herein, a meeting need not be called or held to make any decision on a matter before the board. Each member must be sent by the executive secretary a copy of the matter to be decided with full information from the files of the board. The concurring decisions of four trustees may decide the issue by signing a document declaring their decision and sending the written instrument to the executive secretary, provided that no other trustee shall send a dissenting decision to the executive secretary within fifteen days after the document and information was mailed to him or her. If any trustee is not in agreement with the four trustees, the matter is to be passed on at a regular board meeting or a special meeting called for that purpose. The board shall hold regular meetings at least once each quarter, the dates of these meetings to be designated in the rules and regulations adopted by the board. Other meetings as deemed necessary may be called by the chairman or by any four trustees acting jointly.

10. The board of trustees shall elect one of their number as chairman, and one of their number as vice chairman, and shall employ an executive secretary, not one of their number, who shall be the executive officer of the board. Other employees of the board shall be chosen only upon the recommendation of the executive secretary.

11. The board shall appoint an actuary or a firm of actuaries as technical advisor to the board on matters regarding the operation of the system on an actuarial basis. The actuary or actuaries shall perform such duties as are required of him or her under sections 70.600 to 70.755, and as are from time to time required by the board.

12. The board may appoint an attorney-at-law or firm of attorneys-at-law to be the legal advisor of the board and to represent the board in all legal proceedings.

13. The board may appoint an investment counselor to be the investment advisor of the board.

14. The board shall from time to time, after receiving the advice of its actuary, adopt such mortality and other tables of experience, and a rate or rates of regular interest, as shall be necessary for the actuarial requirements of the system, and shall require its executive secretary to keep in convenient form such data as shall be necessary for actuarial investigations of the experience of the system, and such data as shall be necessary for the annual actuarial valuations of the system.

15. The board shall keep a record of its proceedings, which shall be open to public inspection. It shall prepare annually and render to each employer a report showing the financial condition of the system as of the preceding June thirtieth. The report shall contain, but shall not be limited to, a financial balance sheet; a statement of income and disbursements; a detailed statement of investments acquired and disposed of during the year, together with a detailed statement of the annual rates of investment income from all assets and from each type of investment; an actuarial balance sheet prepared by means of the last valuation of the

system, and such other data as the board shall deem necessary or desirable for a proper understanding of the condition of the system.

16. The board of trustees shall, after reasonable notice to all interested parties, conduct administrative hearings to hear and decide questions arising from the administration of sections 70.600 to 70.755; except, that such hearings may be conducted by a hearing officer who shall be appointed by the board. The hearing officer shall preside at the hearing and hear all evidence and rule on the admissibility of evidence. The hearing officer shall make recommended findings of fact and may make recommended conclusions of law to the board. All final orders or determinations or other final actions by the board shall be approved in writing by at least four members of the board. Any board member approving in writing any final order, determination or other final action, who did not attend the hearing, shall do so only after certifying that he or she reviewed all exhibits and read the entire transcript of the hearing. Within thirty days after a decision or order or final action of the board, any member, retirant, beneficiary or political subdivision adversely affected by that determination or order or final action may take an appeal under the provisions of chapter 536. Jurisdiction over any dispute regarding the interpretation of sections 70.600 to 70.755 and the determinations required thereunder shall lie in the circuit court of Cole County.

17. The board shall arrange for adequate surety bonds covering the executive secretary and any other custodian of the funds or investments of the board. When approved by the board, said bonds shall be deposited in the office of the secretary of state.

18. The board shall arrange for annual audits of the records and accounts of the system by a certified public accountant or by a firm of certified public accountants.

19. The headquarters of the retirement system shall be in Jefferson City.

20. The board of trustees shall serve as trustees without compensation for their services as such; except that each trustee shall be paid for any necessary expenses incurred in attending meetings of the board or in the performance of other duties authorized by the board.

21. Subject to the limitations of sections 70.600 to 70.755, the board shall formulate and adopt rules and regulations for the government of its own proceedings and for the administration of the retirement system.

70.610. Each political subdivision, by a majority vote of its governing body, may elect to become an employer and cover its employees under the system, as follows:

(1) The clerk or secretary of the political subdivision shall certify the election to be an employer to the board within ten days after the vote of the governing body. The effective date of the political subdivision's coverage is the first day of the calendar month next following receipt by the board of the election to be an employer, or the operative date of the system, whichever is the later.

(2) An employer must cover all its employees who are neither [policemen] **police officers** nor [firemen] **firefighters** and may cover its [policemen] **police officers** or [firemen] **firefighters** or both.

70.615. After October 13, 1967, a political subdivision shall not commence coverage of its employees who are neither [policemen] **police officers** nor [firemen] **firefighters** under another plan similar in purpose to this system, other than under this system, except the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended; except that, any political corporation or subdivision of this state, now having or which may hereafter have an assessed valuation of one hundred million dollars or more, which does not now have a pension system for its officers and employees adopted pursuant to state law, may

provide by proper legislative action of its governing body for the pensioning of its officers and employees and the widows and minor children of deceased officers and employees under a plan separate and apart from that provided in sections 70.600 to 70.670 and appropriate and utilize its revenues and other available funds for such purposes, and except that the board of hospital trustees of any hospital which is owned by any political corporation or subdivision of this state, may provide for the pensioning of its employees and the widows and minor children of deceased employees under a plan separate and apart from that provided in sections 70.600 to 70.670, and utilize its revenues and other funds for such purposes.”; and

Further amend said bill, Page 9, Section 70.621, Line 24, by inserting after all of said line the following:

“70.630. 1. The membership of the system shall include the following persons:

(1) All employees who are neither [policemen] **police officers** nor [firemen] **firefighters** who are in the employ of a political subdivision the day preceding the date such political subdivision becomes an employer and who continue in such employ on and after such date shall become members of the system.

(2) All persons who become employed by a political subdivision as neither [policemen] **police officers** nor [firemen] **firefighters** on or after the date such political subdivision becomes an employer shall become members of the system.

(3) If his **or her** employing political subdivision has elected to cover present and future [policemen] **police officers**, all [policemen] **police officers** who are in the employ of a political subdivision the day preceding the date such political subdivision covers [policemen] **police officers** hereunder and who continue in such employ as a [policeman] **police officer** on and after such date, and all persons who become employed by a political subdivision as a [policeman] **police officer** on or after the date the political subdivision covers [policemen] **police officers** shall become members of the system.

(4) If his **or her** employing political subdivision has elected to cover only future [policemen] **police officers**, all persons who become employed by a political subdivision as a [policeman] **police officer** on or after the date such political subdivision covers [policemen] **police officers** hereunder shall become members of the system.

(5) If his **or her** employing political subdivision has elected to cover present and future [firemen] **firefighters**, all [firemen] **firefighters** who are in the employ of a political subdivision the day preceding the date such political subdivision covers [firemen] **firefighters** hereunder and who continue in such employ as a [fireman] **firefighter** on and after such date, and all persons who become employed by a political subdivision as a [fireman] **firefighter** on or after the date the political subdivision covers [firemen] **firefighters** hereunder shall become members of the system.

(6) If his **or her** employing political subdivision has elected to cover only future [firemen] **firefighters**, all persons who become employed by a political subdivision as a [fireman] **firefighter** on or after the date such political subdivision covers [firemen] **firefighters** hereunder shall become members of the system.

2. In no event shall an employee become a member if continuous employment to time of retirement will leave the employee with less than minimum number of years of credited service specified in section 70.645.

3. In any case of question as to the system membership status of any person, the board shall decide the question.

70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to cover jailers as police officer members of the system and emergency medical service personnel as firefighter

members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of jailers as police officer members of the system and emergency medical service personnel as firefighter members of the system to the board within ten days after such vote. The date on which the political subdivision's election becomes effective shall be the first day of the calendar month specified by such governing body, the first day of the calendar month next following receipt by the board of the certification of the election, or the effective date of the political subdivision becoming an employer, whichever is the latest date. Such election shall not be changed after the effective date. If the election is made, the coverage provisions shall be applicable to the past and future employment with the employer by present and future employees.

2. If an employer elects to cover jailers as police officer members of the system and emergency medical service personnel as firefighter members of the system, the employer contributions shall be correspondingly changed effective the same date as the effective date of the political subdivision's election.

3. The limitation on increases in an employer's contributions under subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer making an election under the provisions of this section.

70.730. 1. Each employer's contributions to the system shall be the total of the contribution amounts provided for in subsections 2 through 5 of this section; provided, that such contributions shall be subject to the provisions of subsection 6 of this section.

2. An employer's normal cost contributions shall be determined as follows: using the financial assumptions adopted by the board from time to time, the actuary shall annually compute the rate of contributions which, if paid annually by each employer during the total service of its members, will be sufficient to provide the pension reserves required at the time of their retirements to cover the pensions to which they might be entitled or which might be payable on their behalf. The board shall annually certify to the governing body of each employer the amount of membership service contribution so determined, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

3. An employer's accrued service contributions shall be determined as follows: using the financial assumptions adopted by the board from time to time, the actuary shall annually compute for each employer the portions of pension reserves for pensions which will not be provided by future normal cost contributions. The accrued service pension reserves so determined for each employer less the employer's applicable balance in the employer accumulation fund shall be amortized over a period of years, as determined by the board. Such period of years shall not extend beyond the latest of:

- (1) forty years from the date the political subdivision became an employer[, or] ;
- (2) thirty years from the date the employer last elected to increase its optional benefit program[,] ; or
- (3) fifteen years from the date of the annual actuarial computation.

The board shall annually certify to the governing body of each employer the amount of accrued service contribution so determined for the employer, and each employer shall pay such amount to the system during

the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time determine. When received, such payments shall be credited to the employer's account in the employer accumulation fund.

4. The employer's contributions for the portions of disability pensions or pensions that result from a member's death that was the natural and proximate result of a personal injury or disease arising out of and in the course of his or her actual performance of duty as an employee not covered by accrued service pension reserves shall be determined on a one-year term basis. The board may determine different rates of contributions for employers having [policeman] **police officer** members or having [fireman] **firefighter** members or having neither [policeman] **police officer** members nor [fireman] **firefighter** members. The board shall annually certify to the governing body of each employer the amount of contribution so ascertained for the employer, and each employer shall pay such amount to the system during the employer's next fiscal year which begins six months or more after the date of such board certification. Such payments shall be made in such manner and form and in such frequency and shall be accompanied by such supporting data as the board shall from time to time ascertain. When received, such payments shall be credited to the casualty reserve fund.

5. Each employer shall provide its share, as determined by the board, of the administrative expenses of the system and shall pay the same to the system to be credited to the income-expense fund.

6. The employer's total contribution to the system, expressed as a percent of active member compensations, in any employer fiscal year, beginning with the second fiscal year that the political subdivision is an employer, shall not exceed its total contributions for the immediately preceding fiscal year, expressed as a percent of active member compensations, by more than one percent.

86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Accumulated contributions", the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) "Average final compensation":

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a [policeman] **police officer**, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(6) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(7) "DROP", the deferred retirement option plan provided for in section 86.251;

(8) "Earnable compensation", the annual salary established under section 84.160 which a member would earn during one year on the basis of the member's rank or position plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year

beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a “noneligible participant” is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(9) “Internal Revenue Code”, the federal Internal Revenue Code of 1986, as amended;

(10) “Mandatory contributions”, the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(11) “Medical board”, the health care organization appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations;

(12) “Member”, a member of the retirement system as defined by sections 86.200 to 86.366;

(13) “Members’ interest”, interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

(14) “Membership service”, service as a [policeman] **police officer** rendered since last becoming a member, except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a [policeman] **police officer**, in which case “membership service” means service as a [policeman] **police officer** rendered since last becoming a member prior to entering such armed service;

(15) “Plan year” or “limitation year”, the twelve consecutive-month period beginning each October first and ending each September thirtieth;

(16) [“Policeman” or] “Police officer”, any member of the police force of such cities who holds a rank in such police force;

(17) “Prior service”, all service as a [policeman] **police officer** rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

(18) “Reserve officer”, any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

(19) “Retirement allowance”, annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

(20) “Retirement system”, the police retirement system of the cities as defined in sections 86.200 to 86.366;

(21) “Surviving spouse”, the surviving spouse of a member who was the member’s spouse at the time of the member’s death.

86.207. 1. Except as provided herein, all persons who become [policemen] **police officers** and all [policemen] **police officers** who enter or reenter the service of any city not within a county after the first day of October, 1957, become members as a condition of their employment and shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city not within a county or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city not within a county or the state of Missouri for the same period of service, anything to the contrary notwithstanding. Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a [policeman] **police officer** may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200 to **86.366**. However, an employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a [policeman] **police officer** may elect to transfer membership and creditable service to the police retirement system created under section 86.200 to **86.366**. Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans; provided however, transfers completed prior to January 1, [2016] **2017**, shall occur without regard to the vesting requirements of the receiving plan contained in section 105.691. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a [policeman] **police officer**. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.

86.210. 1. Under such rules and regulations as the board of trustees shall adopt, each member who was a [policeman] **police officer** on and prior to the date the retirement system becomes operative and who becomes a member within one year from such date and each member who was a [policeman] **police officer** prior to reentering the service of the city as a [policeman] **police officer**, shall file a detailed statement of all service as a [policeman] **police officer** rendered by the member prior to the date the retirement system becomes operative or prior to the date of last becoming a member, for which the member claims credit. If such member has withdrawn the member’s accumulated contributions prior to reentering said service, then the member shall repay all such accumulated contributions plus the applicable members’ interest thereon from the date of withdrawal to the date of repayment in order to receive credit for such prior service.

2. The board of trustees shall fix and determine by proper rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the board of trustees allow credit as service for any period of more than one month's duration during which the member was absent without pay.

3. Subject to the above restrictions and to such other rules and regulations as the board of trustees may adopt, the board of trustees shall verify the service claims as soon as practicable after the filing of such statement of service.

4. Upon verification of the statements of service the board of trustees shall issue prior service certificates, certifying to each member the length of prior service with which the member is credited on the basis of such member's statement of service. So long as the holder of such a certificate continues to be a member, a prior service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance or modification of such certificate, request the board of trustees to modify or correct such prior service certificate. When any [policeman] **police officer** ceases to be a member, the former member's prior service certificate shall become void. Should the former member again become a member, the former member shall enter the retirement system as a member not entitled to prior service credit except as provided in sections 86.200 to 86.366.

5. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of the membership service rendered by the member since last becoming a member and also if the member has a prior service certificate which is in full force and effect, the amount of the service certified on such prior service certificate.

86.253. 1. Upon termination of employment as a police officer and actual retirement for service, a member shall receive a service retirement allowance which shall be an amount equal to two percent of the member's average final compensation multiplied by the number of years of the member's creditable service, up to twenty-five years, plus an amount equal to four percent of the member's average final compensation for each year of creditable service in excess of twenty-five years but not in excess of thirty years; plus an additional five percent of the member's average final compensation for any creditable service in excess of thirty years. Notwithstanding the foregoing, the service retirement allowance of a member who does not earn any creditable service after August 11, 1999, shall not exceed an amount equal to seventy percent of the member's average final compensation, and the service retirement allowance of a member who earns creditable service on or after August 12, 1999, shall not exceed an amount equal to seventy-five percent of the member's average final compensation; provided, however, that the service retirement allowance of a member who is participating in the DROP pursuant to section 86.251 on August 12, 1999, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer and actually retires for reasons other than death or disability before earning at least two years of creditable service after such return shall be the sum of (1) the member's service retirement allowance as of the date the member entered DROP and (2) an additional service retirement allowance based solely on the creditable service earned by the member following the member's return to active participation. The member's total years of creditable service shall be taken into account for the purpose of determining whether the additional allowance attributable to such additional creditable service is two percent, four percent or five percent of the member's average final compensation.

2. If, at any time since first becoming a member of the retirement system, the member has served in the

Armed Forces of the United States, and has subsequently been reinstated as a [policeman] **police officer** within ninety days after the member's discharge, the member shall be granted credit for such service as if the member's service in the police department of such city had not been interrupted by the member's induction into the Armed Forces of the United States. If earnable compensation is needed for such period in computation of benefits it shall be calculated on the basis of the compensation payable to the officers of the member's rank during the period of the member's absence. Notwithstanding any provision of sections 86.200 to 86.366 to the contrary, the retirement system governed by sections 86.200 to 86.366 shall be operated and administered in accordance with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended.

3. The service retirement allowance of each present and future retired member who terminated employment as a police officer and actually retired from service after attaining age fifty-five or after completing twenty years of creditable service shall be increased annually at a rate not to exceed three percent as approved by the board of trustees beginning with the first increase in the second October following the member's retirement and subsequent increases in each October thereafter, provided that each increase is subject to a determination by the board of trustees that the consumer price index (United States City Average Index) as published by the United States Department of Labor shows an increase of not less than the approved rate during the latest twelve-month period for which the index is available at the date of determination; and provided further, that if the increase is in excess of the approved rate for any year, such excess shall be accumulated as to any retired member and increases may be granted in subsequent years subject to a maximum of three percent for each full year from October following the member's retirement but not to exceed a total percentage increase of thirty percent. In no event shall the increase described under this subsection be applied to the amount, if any, paid to a member or surviving spouse of a deceased member for services as a special consultant under subsection 5 of this section [or, if applicable, subsection 6 of this section]. If the board of trustees determines that the index has decreased for any year, the benefits of any retired member that have been increased shall be decreased but not below the member's initial benefit. No annual increase shall be made of less than one percent and no decrease of less than three percent except that any decrease may be limited in amount by the initial benefit.

4. In addition to any other retirement allowance payable under this section and section 86.250, a member, upon termination of employment as police officer and actual service retirement, may request payment of the total amount of the member's mandatory contributions to the retirement system without interest. Upon receipt of such request, the board shall pay the retired member such total amount of the member's mandatory contributions to the retirement system to be paid pursuant to this subsection within sixty days after such retired member's date of termination of employment as a police officer and actual retirement.

5. Any person who is receiving retirement benefits from the retirement system, upon application to the board of trustees, shall be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of retirement, aging and other matters, for the remainder of the person's life or, in the case of a deceased member's surviving spouse, until the earlier of the person's death or remarriage, and upon request of the board of trustees shall give opinions and be available to give opinions in writing or orally, in response to such requests, as may be required. For such services the special consultant shall be compensated monthly, in an amount which, when added to any monthly retirement benefits being received from the retirement system, including any cost-of-living increases under subsection 3 of this section, shall total six hundred fifty dollars a month. This employment shall in no way affect any person's eligibility for

retirement benefits under this chapter, or in any way have the effect of reducing retirement benefits, notwithstanding any provisions of law to the contrary.

86.267. 1. Upon termination of employment as a police officer and actual retirement for accidental disability, other than permanent total disability as defined in subsection 2, a member shall receive a retirement allowance of seventy-five percent of the member's average final compensation.

2. Any member who, as the natural and proximate result of an accident occurring at some definite time and place in the actual performance of the member's duty through no negligence on the member's part, is permanently and totally incapacitated from performing any work, occupation or vocation of any kind whatsoever shall receive a retirement allowance as under subsection 1 or, in the discretion of the board of trustees, may receive a larger retirement allowance in an amount not exceeding the member's rate of compensation as a [policeman] **police officer** in effect as of the date the allowance begins.

3. The board of trustees, in its discretion, may, in addition to the allowance granted in accordance with the provisions of subsections 1 and 2, grant an allowance in an amount to be determined by the board of trustees, to provide such member with surgical, medical and hospital care reasonably required after retirement, which are the result and in consequence of the accident causing such disability.

4. Any person who is receiving benefits pursuant to subsection 2 of this section on or after August 28, 1997, and any person who is receiving benefits pursuant to subsection 1 of this section on or after October 1, 2001, and who made mandatory contributions to the retirement system, upon application to the board of trustees, shall be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of retirement, aging and other matters, and upon request of the board of trustees shall give opinions and be available to give opinions in writing or orally, in response to such requests, as may be required. For such services the retired member shall be paid a lump sum payment in an amount equal to the total amount of the member's mandatory contributions to the retirement system, without interest, within sixty days after approval of the retired member's application by the board of trustees.

86.290. Should a member cease to be a [policeman] **police officer** except by death or actual retirement, the member may request payment of the amount of the accumulated contributions standing to the credit of the member's individual account, including members' interest, in which event such amount shall be paid to the member not later than one year after the member ceases to be a [policeman] **police officer**. If the former member is reemployed as a [policeman] **police officer** before any portion of such former member's accumulated contributions is distributed, no distribution shall be made. If the former member is reemployed as a [policeman] **police officer** after a portion of the former member's accumulated contributions is distributed, the amount remaining shall also be distributed.

86.360. The board of trustees provided for by section 86.213 is hereby authorized to consolidate, combine and transfer funds provided by sections 86.010 to 86.193 with the funds provided by sections 86.200 to 86.366 in such a manner as will simplify the operations of the two systems. Separate records shall be maintained only to the extent necessary to determine and pay the benefits provided by sections 86.010 to 86.193 for those [policemen] **police officers** electing not to become members of the retirement system provided by sections 86.200 to 86.366. The board of trustees may accept the membership records of the older system in lieu of the requirements in section 86.210. The board of trustees may authorize the use of the same actuarial assumptions and interest rate in the calculation of the contributions by the cities for both systems and the accrued liability rate may be a combined rate for both systems.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 677**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8, 9, 10, 11, 12 and 13.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words, “emergency administration of epinephrine by auto-injector” and insert in lieu thereof the words, “health care”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said line the following:

“324.001. 1. For the purposes of this section, the following terms mean:

- (1) “Department”, the department of insurance, financial institutions and professional registration;
- (2) “Director”, the director of the division of professional registration; and
- (3) “Division”, the division of professional registration.

2. There is hereby established a “Division of Professional Registration” assigned to the department of insurance, financial institutions and professional registration as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

3. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board’s records current. Each board or commission

shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

4. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. "Issuance and renewal of licenses and certificates" means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant's qualifications for licensure or certification, or the subsequent review of licensee's or certificate holder's qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

5. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor's office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board's funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

6. For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it from each board's fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection 5 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

7. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

8. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency

which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

9. Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

10. A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

11. (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and

accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of insurance, financial institutions and professional registration. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

12. All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

13. Wherever the laws, rules, or regulations of this state make reference to the “division of professional registration of the department of economic development”, such references shall be deemed to refer to the division of professional registration.

14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state committee of psychologists, state board of chiropractic examiners, state board of optometry, Missouri board of occupational therapy, or state board of registration for the healing arts may individually or collectively enter into a contractual agreement with the department of health and senior services, a public institution of higher education, or a nonprofit entity for the purpose of collecting and analyzing workforce data from its licensees, registrants, or permit holders for future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri. The boards shall work collaboratively with other state governmental entities to ensure coordination and avoid duplication of efforts.

(2) The boards may expend appropriated funds necessary for operational expenses of the program formed under this subsection. Each board is authorized to accept grants to fund the collection or analysis authorized in this subsection. Any such funds shall be deposited in the respective board’s fund.

(3) Data collection shall be controlled and approved by the applicable state board conducting or requesting the collection. Notwithstanding the provisions of section 334.001, the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce including, but not limited to, geographic, demographic, and practice or professional characteristics of licensees. The state board shall not request or be authorized to collect income or other financial earnings data.

(4) Data collected under this subsection shall be deemed the property of the state board requesting the data. Data shall be maintained by the state board in accordance with chapter 610, provided that any information deemed closed or confidential under subsection 8 of this section or any other

provision of state law shall not be disclosed without consent of the applicable licensee or entity or as otherwise authorized by law. Data shall only be released in an aggregate form by geography, profession or professional specialization, or population characteristic in a manner that cannot be used to identify a specific individual or entity. Data suppression standards shall be addressed and established in the contractual agreement.

(5) Contractors shall maintain the security and confidentiality of data received or collected under this subsection and shall not use, disclose, or release any data without approval of the applicable state board. The contractual agreement between the applicable state board and contractor shall establish a data release and research review policy to include legal and institutional review board, or agency equivalent, approval.

(6) Each board may promulgate rules subject to the provisions of this subsection and chapter 536 to effectuate and implement the workforce data collection and analysis authorized by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care procedures”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“192.500. 1. For purposes of this section, the following terms shall mean:

(1) “Cone beam computed tomography system”, a medical imaging device using x-ray computed tomography to capture data using a cone-shaped x-ray beam;

(2) “Panoramic x-ray system”, an imaging device that captures the entire mouth in a single, two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and tissues.

2. Cone beam computed tomography systems and panoramic x-ray systems shall not be required to be inspected more frequently than every six years.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the title, Lines 2-3, by deleting the phrase “emergency administration of epinephrine by auto-injector” and insert in lieu thereof the words “medical injections”; and

Further amend said substitute and page, Section A, Line 2, by inserting immediately after said line the

following:

“167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student’s parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices;** [and]

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals’s health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention,** unless a signed statement of medical or religious exemption is on file with the institution’s administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term “on-campus housing” shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education.”; and

Further amend said substitute, Page 3, Section 196.990, Line 84, by inserting immediately after said line the following:

“198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have

direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2-3, by removing the phrase “emergency administration of epinephrine by auto-injector” and insert in lieu thereof the phrase “health care”; and

Further amend said substitute and page, Section A, Line 2, by inserting immediately after said line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and

consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate; and

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in section 191.1085.

6. The council shall submit an annual report to the general assembly, which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities including, but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative

care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council established in section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 677, Page 2, Line 10, by inserting after all of said line the following:

“Further amend said bill and page, Section 196.990, Line 18, by inserting after the word “**entity.**” on said line the following:

“**For such prescriptions, the authorized entity shall be designated as the patient and the name of a trained individual employed by such authorized entity shall be required.**”; and”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student’s parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices;** [and]

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention,** unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education."; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

"198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined.

338.200. 1. In the event a pharmacist is unable to obtain refill authorization from the prescriber due to death, incapacity, or when the pharmacist is unable to obtain refill authorization from the prescriber, a pharmacist may dispense an emergency supply of medication if:

(1) In the pharmacist's professional judgment, interruption of therapy might reasonably produce

undesirable health consequences;

(2) The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;

(3) The medication dispensed is not a controlled substance;

(4) The pharmacist informs the patient or the patient's agent either verbally, electronically, or in writing at the time of dispensing that authorization of a prescriber is required for future refills; and

(5) The pharmacist documents the emergency dispensing in the patient's prescription record, as provided by the board by rule.

2. (1) If the pharmacist is unable to obtain refill authorization from the prescriber, the amount dispensed shall be limited to the amount determined by the pharmacist within his or her professional judgment as needed for the emergency period, provided the amount dispensed shall not exceed a seven-day supply.

(2) In the event of prescriber death or incapacity or inability of the prescriber to provide medical services, the amount dispensed shall not exceed a thirty-day supply.

3. Pharmacists or permit holders dispensing an emergency supply pursuant to this section shall promptly notify the prescriber or the prescriber's office of the emergency dispensing, as required by the board by rule.

4. An emergency supply may not be dispensed pursuant to this section if the pharmacist has knowledge that the prescriber has otherwise prohibited or restricted emergency dispensing for the applicable patient.

5. The determination to dispense an emergency supply of medication under this section shall only be made by a pharmacist licensed by the board.

6. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

338.202. 1. Notwithstanding any other provision of law to the contrary, unless the prescriber has specified on the prescription that dispensing a prescription for a maintenance medication in an initial amount followed by periodic refills is medically necessary, a pharmacist may exercise his or her professional judgment to dispense varying quantities of maintenance medication per fill up to the total number of dosage units as authorized by the prescriber on the original prescription, including any refills. Dispensing of the maintenance medication based on refills authorized by the prescriber on the prescription shall be limited to no more than a ninety-day supply of the medication, and the maintenance medication shall have been previously prescribed to the patient for at least a three-month period.

2. For the purposes of this section, "maintenance medication" is a medication prescribed for chronic, long-term conditions and is taken on a regular, recurring basis, except that it shall not include controlled substances as defined in section 195.010.

376.379. 1. A health carrier or managed care plan offering a health benefit plan in this state

that provides prescription drug coverage shall offer, as part of the plan, medication synchronization services developed by the health carrier or managed care plan that allow for the alignment of refill dates for an enrollee's prescription drugs that are covered benefits.

2. Under its medication synchronization services, a health carrier or managed care plan shall:

(1) Not charge an amount in excess of the otherwise applicable co-payment amount under the health benefit plan for dispensing a prescription drug in a quantity that is less than the prescribed amount if:

(a) The pharmacy dispenses the prescription drug in accordance with the medication synchronization services offered under the health benefit plan; and

(b) A participating provider dispenses the prescription drug; and

(2) Provide a full dispensing fee to the pharmacy that dispenses the prescription drug to the covered person.

3. For purposes of this section, the terms "health carrier", "managed care plan", "health benefit plan", "enrollee", and "participating provider" shall have the same meanings given to such terms under section 376.1350.

376.388. 1. As used in this section, unless the context requires otherwise, the following terms shall mean:

(1) "Contracted pharmacy" or "pharmacy", a pharmacy located in Missouri participating in the network of a pharmacy benefits manager through a direct or indirect contract;

(2) "Health carrier", an entity subject to the insurance laws and regulations of this state that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits, or health services, except that such plan shall not include any coverage pursuant to a liability insurance policy, workers' compensation insurance policy, or medical payments insurance issued as a supplement to a liability policy;

(3) "Maximum allowable cost", the per unit amount that a pharmacy benefits manager reimburses a pharmacist for a prescription drug, excluding a dispensing or professional fee;

(4) "Maximum allowable cost list" or "MAC list", a listing of drug products that meet the standard described in this section;

(5) "Pharmacy", as such term is defined in chapter 338;

(6) "Pharmacy benefits manager", an entity that contracts with pharmacies on behalf of health carriers or any health plan sponsored by the state or a political subdivision of the state.

2. Upon each contract execution or renewal between a pharmacy benefits manager and a pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, a pharmacy benefits manager shall, with respect to such contract or renewal:

(1) Include in such contract or renewal the sources utilized to determine maximum allowable cost

and update such pricing information at least every seven days; and

(2) Maintain a procedure to eliminate products from the maximum allowable cost list of drugs subject to such pricing or modify maximum allowable cost pricing at least every seven days, if such drugs do not meet the standards and requirements of this section, in order to remain consistent with pricing changes in the marketplace.

3. A pharmacy benefits manager shall reimburse pharmacies for drugs subject to maximum allowable cost pricing that has been updated to reflect market pricing at least every seven days as set forth under subdivision (1) of subsection 2 of this section.

4. A pharmacy benefits manager shall not place a drug on a maximum allowable cost list unless there are at least two therapeutically equivalent multisource generic drugs, or at least one generic drug available from at least one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers.

5. All contracts between a pharmacy benefits manager and a contracted pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, shall include a process to internally appeal, investigate, and resolve disputes regarding maximum allowable cost pricing. The process shall include the following:

(1) The right to appeal shall be limited to fourteen calendar days following the reimbursement of the initial claim; and

(2) A requirement that the pharmacy benefits manager shall respond to an appeal described in this subsection no later than fourteen calendar days after the date the appeal was received by such pharmacy benefits manager.

6. For appeals that are denied, the pharmacy benefits manager shall provide the reason for the denial and identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost and, when applicable, may be substituted lawfully.

7. If the appeal is successful, the pharmacy benefits manager shall:

(1) Adjust the maximum allowable cost price that is the subject of the appeal effective on the day after the date the appeal is decided;

(2) Apply the adjusted maximum allowable cost price to all similarly situated pharmacies as determined by the pharmacy benefits manager; and

(3) Allow the pharmacy that succeeded in the appeal to reverse and rebill the pharmacy benefits claim giving rise to the appeal.

8. Appeals shall be upheld if:

(1) The pharmacy being reimbursed for the drug subject to the maximum allowable cost pricing in question was not reimbursed as required under subsection 3 of this section; or

(2) The drug subject to the maximum allowable cost pricing in question does not meet the requirements set forth under subsection 4 of this section.

376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. The provisions of this section shall terminate on January 1, [2017] **2020.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words "emergency administration of epinephrine by auto-injector" and inserting in lieu thereof the words "health care"; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

"334.1200. PURPOSE

The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This compact is designed to achieve the following objectives:

1. Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses;

2. Enhance the states' ability to protect the public's health and safety;

3. Encourage the cooperation of member states in regulating multistate physical therapy practice;

4. Support spouses of relocating military members;

5. Enhance the exchange of licensure, investigative, and disciplinary information between member states; and

6. Allow a remote state to hold a provider of services with a compact privilege in that state

accountable to that state's practice standards.

334.1203. DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall apply:

1. "Active Duty Military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.

2. "Adverse Action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.

3. "Alternative Program" means a nondisciplinary monitoring or practice remediation process approved by a physical therapy licensing board. This includes, but is not limited to, substance abuse issues.

4. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules. The practice of physical therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

5. "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

6. "Data system" means a repository of information about licensees, including examination, licensure, investigative, compact privilege, and adverse action.

7. "Encumbered license" means a license that a physical therapy licensing board has limited in any way.

8. "Executive Board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

9. "Home state" means the member state that is the licensee's primary state of residence.

10. "Investigative information" means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.

11. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a state.

12. "Licensee" means an individual who currently holds an authorization from the state to practice as a physical therapist or to work as a physical therapist assistant.

13. "Member state" means a state that has enacted the compact.

14. "Party state" means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.

15. "Physical therapist" means an individual who is licensed by a state to practice physical therapy.

16. "Physical therapist assistant" means an individual who is licensed/certified by a state and who

assists the physical therapist in selected components of physical therapy.

17. “Physical therapy”, “physical therapy practice”, and “the practice of physical therapy” mean the care and services provided by or under the direction and supervision of a licensed physical therapist.

18. “Physical therapy compact commission” or “commission” means the national administrative body whose membership consists of all states that have enacted the compact.

19. “Physical therapy licensing board” or “licensing board” means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

20. “Remote state” means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

21. “Rule” means a regulation, principle, or directive promulgated by the commission that has the force of law.

22. “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

334.1206. STATE PARTICIPATION IN THE COMPACT

A. To participate in the compact, a state must:

1. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

2. Have a mechanism in place for receiving and investigating complaints about licensees;

3. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

4. Fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions in accordance with section 334.1206.B.;

5. Comply with the rules of the commission;

6. Utilize a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

7. Have continuing competence requirements as a condition for license renewal.

B. Upon adoption of sections 334.1200 to 334.1233, the member state shall have the authority to obtain biometric-based information from each physical therapy licensure applicant and submit this information to the Federal Bureau of Investigation for a criminal background check in accordance with 28 U.S.C. Section 534 and 42 U.S.C. Section 14616.

C. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

D. Member states may charge a fee for granting a compact privilege.

334.1209. COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

- 1. Hold a license in the home state;**
- 2. Have no encumbrance on any state license;**
- 3. Be eligible for a compact privilege in any member state in accordance with section 334.1209D, G and H;**
- 4. Have not had any adverse action against any license or compact privilege within the previous 2 years;**
- 5. Notify the commission that the licensee is seeking the compact privilege within a remote state(s);**
- 6. Pay any applicable fees, including any state fee, for the compact privilege;**
- 7. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege; and**
- 8. Report to the commission adverse action taken by any nonmember state within thirty days from the date the adverse action is taken.**

B. The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of section 334.1209.A. to maintain the compact privilege in the remote state.

C. A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

D. A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

E. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

- 1. The home state license is no longer encumbered; and**
- 2. Two years have elapsed from the date of the adverse action.**

F. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of section 334.1209A to obtain a compact privilege in any remote state.

G. If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact privilege in any remote state until the following occur:

- 1. The specific period of time for which the compact privilege was removed has ended;**
- 2. All fines have been paid; and**
- 3. Two years have elapsed from the date of the adverse action.**

H. Once the requirements of section 334.1209G have been met, the license must meet the requirements in section 334.1209A to obtain a compact privilege in a remote state.

334.1212. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may designate one of the following as the home state:

- A. Home of record;**
- B. Permanent change of station (PCS); or**
- C. State of current residence if it is different than the PCS state or home of record.**

334.1215. ADVERSE ACTIONS

A. A home state shall have exclusive power to impose adverse action against a license issued by the home state.

B. A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

C. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

D. Any member state may investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist or physical therapist assistant holds a license or compact privilege.

E. A remote state shall have the authority to:

1. Take adverse actions as set forth in section 334.1209.D. against a licensee's compact privilege in the state;

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a physical therapy licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

3. If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

F. Joint Investigations

1. In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

334.1218. ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION.

A. The compact member states hereby create and establish a joint public agency known as the physical therapy compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one delegate selected by that member state's licensing board.

2. The delegate shall be a current member of the licensing board, who is a physical therapist, physical therapist assistant, public member, or the board administrator.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring in the commission.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Maintain its financial records in accordance with the bylaws;

4. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

5. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

6. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law shall

not be affected;

7. Purchase and maintain insurance and bonds;

8. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

9. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

10. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an executive board; and

18. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of physical therapy licensure and practice.

D. The Executive Board

The executive board shall have the power to act on behalf of the commission according to the terms of this compact.

1. The executive board shall be comprised of nine members:

a. Seven voting members who are elected by the commission from the current membership of the commission;

b. One ex officio, nonvoting member from the recognized national physical therapy professional association; and

c. One ex officio, nonvoting member from the recognized membership organization of the physical therapy licensing boards.

2. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive board as provided in bylaws.

4. The executive board shall meet at least annually.

5. The executive board shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of member states and provide compliance reports to the commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

E. Meetings of the Commission

1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1224.

2. The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive board or other committees of the commission must discuss:

a. Noncompliance of a member state with its obligations under the compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

F. Financing of the Commission

1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment,

duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

334.1221. DATA SYSTEM

A. The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for such denial; and

6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

C. Investigative information pertaining to a licensee in any member state will only be available to other party states.

D. The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

334.1224. RULEMAKING

A. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date

specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

D. Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission or other publicly accessible platform; and

2. On the website of each member state physical therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The notice of proposed rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

F. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

G. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five persons;

2. A state or federal governmental subdivision or agency; or

3. An association having at least twenty-five members.

H. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules

may be grouped for the convenience of the commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

K. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or member state funds;
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
4. Protect public health and safety.

M. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1227. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process

to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

B. Default, Technical Assistance, and Termination

1. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

C. Dispute Resolution

1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement

1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices

against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1230. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

B. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

C. Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this compact shall be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1233. CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “public health”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, **or any county of the third classification with a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat** may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Hospital District Sales Tax Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “administration of drugs”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“195.206. 1. As used in this section, the following terms shall mean:

(1) “Emergency opioid antagonist”, naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(2) “Opioid-related drug overdose”, a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary, any licensed pharmacist in Missouri may sell and dispense an opioid antagonist under physician protocol.

3. A licensed pharmacist who, acting in good faith and with reasonable care, sells or dispenses an opioid antagonist and appropriate device to administer the drug, and the protocol physician, shall not be subject to any criminal or civil liability or any professional disciplinary action for prescribing or dispensing the opioid antagonist or any outcome resulting from the administration of the opioid antagonist.

4. Notwithstanding any other law or regulation to the contrary, it shall be permissible for any person to possess an opioid antagonist.

5. Any person who administers an opioid antagonist to another person shall, immediately after administering the drug, contact emergency personnel. Any person who, acting in good faith and with reasonable care, administers an opioid antagonist to another person whom the person believes to be suffering an opioid-related overdose shall be immune from criminal prosecution, disciplinary actions from his or her professional licensing board, and civil liability due to the administration of the opioid antagonist.”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

“338.205. 1. Notwithstanding any other law or regulation to the contrary, any person or organization acting under a standing order issued by a health care professional who is otherwise authorized to prescribe an opioid antagonist may store an opioid antagonist without being subject to the licensing and permitting requirements of this chapter and may dispense an opioid antagonist if the person does not collect a fee or compensation for dispensing the opioid antagonist.

2. As used in this section, the term “emergency opioid antagonist” means naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration, or any accepted medical practice of administering.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“191.332. 1. By January 1, 2002, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include potentially treatable or manageable disorders, which may include but are not limited to cystic fibrosis, galactosemia, biotinidase deficiency, congenital adrenal hyperplasia, maple syrup urine disease (MSUD) and other amino acid disorders, glucose-6-phosphate dehydrogenase deficiency (G-6-PD), MCAD and other fatty acid oxidation disorders, methylmalonic acidemia, propionic acidemia, isovaleric acidemia and glutaric acidemia Type I.

2. By January 1, 2017, the department of health and senior services shall, subject to

appropriations, expand the newborn screening requirements in section 191.331 to include severe combined immunodeficiency (SCID), also known as bubble boy disease. The department may increase the fee authorized under subsection 6 of section 191.331 to cover any additional costs of the expanded newborn screening requirements under this subsection.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to ensure the health of newborn babies in Missouri, the enactment of section 191.332 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 191.332 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2-3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

“197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.

2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.

3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:

(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or

(2) The hospital has used other standards that provide for equivalent design criteria.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

536.031. 1. There is established a publication to be known as the "Code of State Regulations", which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.

2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general's opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.

3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written format upon request.

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by

deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(2) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician’s designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient’s personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient’s health care may be made by the following

competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction

to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or

impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care

facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2-3, by deleting the words “emergency administration of epinephrine by auto-injector” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

(1) Violence by homicide, suicide, or accident;

(2) Criminal abortions, including those self-induced;

(3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the thirty-six-hour period preceding the death;

(4) In any unusual or suspicious manner;

(5) Any injury or illness while in the custody of the law or while an inmate in a public institution[;]

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or deputy coroner shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. The coroner or deputy coroner may take the names and addresses of witnesses to the death and shall file this information in the coroner's office. The coroner or deputy coroner shall take possession of all property of value found on the body, making exact inventory of such property on the report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or deputy coroner shall take possession of any object or article which, in the coroner's or the deputy coroner's opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, **except under the care of a licensed, certified hospice as defined under section 197.250**, the first licensed medical professional or law enforcement official learning of such death shall immediately contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions. **When a death occurs outside a licensed health care facility under the care of a licensed, certified hospice, the county coroner shall be notified in writing within twenty-four hours and no investigation shall be conducted if the death is certified by the treating physician of the deceased.**

3. Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff or the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of the coroner's report.

4. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at the coroner's own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

5. The coroner may certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death or when a physician is unavailable to sign a certificate of death.

6. When the cause of death is established by the coroner, the coroner shall file a copy of the findings in the coroner's office within thirty days.

7. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on the coroner's own authority may make or cause to be made an autopsy on the body. The coroner may on the coroner's own

authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, the pathologist, chemist, or other expert shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

8. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, the coroner shall make out the coroner's warrant directed to the sheriff of the city or county requiring the sheriff forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased died.

9. (1) When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, or dies while being treated in the emergency room of the receiving facility, the place which the person is determined to be dead shall be considered the place of death and the county coroner or medical examiner of the county from which the person was originally being transferred shall be responsible for determining the cause and manner of death for the Missouri certificate of death.

(2) The coroner or medical examiner in the county in which the person is determined to be dead may with authorization of the coroner or medical examiner from the original transferring county, investigate and conduct postmortem examinations at the expense of the coroner or medical examiner from the original transferring county. The coroner or medical examiner from the original transferring county shall be responsible for investigating the circumstances of such and completing the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

(3) Such coroner or medical examiner of the county where a person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which the person was originally being transferred of the death of such person, and shall make available information and records obtained for investigation of the death.

(4) If a person does not die while being transferred and is institutionalized as a regularly admitted patient after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which such person was originally transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death. If the manner of death is by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

10. There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, child fatality, criminal abortion including those self-induced, or any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead. The final investigation of death in determining the cause and matter of death shall revert to the county of origin, and the coroner or medical examiner of such county shall

be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

11. Except as provided in subsection 9 of this section, if a person dies in one county and the body is subsequently transferred to another county, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

12. In performing the duties, the coroner or medical examiner shall comply with sections 58.775 to 58.785 with respect to organ donation.

58.720. 1. When any person dies within a county having a medical examiner as a result of:

(1) Violence by homicide, suicide, or accident;

(2) Thermal, chemical, electrical, or radiation injury;

(3) Criminal abortions, including those self-induced;

(4) Disease thought to be of a hazardous and contagious nature or which might constitute a threat to public health; or when any person dies:

(a) Suddenly when in apparent good health;

(b) When unattended by a physician, chiropractor, or an accredited Christian Science practitioner, during the period of thirty-six hours immediately preceding his death;

(c) While in the custody of the law, or while an inmate in a public institution;

(d) In any unusual or suspicious manner[;]

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the office of the medical examiner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the medical examiner or his designated assistant shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The medical examiner or his designated assistant shall take possession of all property of value found on the body, making exact inventory thereof on his report and shall direct the return of such property to the person entitled to its custody or possession. The medical examiner or his designated assistant examiner shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, **except under the care of a licensed, certified hospice as defined under section 197.250**, the first licensed medical professional or law enforcement official learning of such death shall contact the county medical examiner. Immediately upon receipt of such notification, the medical examiner or the medical examiner's deputy shall make a determination if further investigation is necessary, based on information provided by the individual contacting the medical examiner, and immediately advise such individual of the medical examiner's intentions. **When a death occurs outside a licensed health care facility under the care of a licensed, certified hospice, the county coroner shall be notified in writing within twenty-four hours and no investigation shall be conducted if the death is certified by the treating physician of the deceased.**

3. In any case of sudden, violent or suspicious death after which the body was buried without any

investigation or autopsy, the medical examiner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

4. The medical examiner shall certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death, and may sign a certificate of death in the case of any death.

5. When the cause of death is established by the medical examiner, he shall file a copy of his findings in his office within thirty days after notification of the death.

6. (1) When a person is being transferred from one county to another county for medical treatment and such person dies while being transferred, or dies while being treated in the emergency room of the receiving facility, the place which the person is determined to be dead shall be considered the place of death and the county coroner or the medical examiner of the county from which the person was originally being transferred shall be responsible for determining the cause and manner of death for the Missouri certificate of death.

(2) The coroner or medical examiner in the county in which the person is determined to be dead may, with authorization of the coroner or medical examiner from the transferring county, investigate and conduct postmortem examinations at the expense of the coroner or medical examiner from the transferring county. The coroner or medical examiner from the transferring county shall be responsible for investigating the circumstances of such and completing the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

(3) Such coroner or medical examiner, or the county where a person is determined to be dead, shall immediately notify the coroner or medical examiner of the county from which the person was originally being transferred of the death of such person and shall make available information and records obtained for investigation of death.

(4) If a person does not die while being transferred and is institutionalized as a regularly admitted patient after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person is determined to be dead shall immediately notify the coroner or medical examiner of the county from which such person was originally transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death. If the manner of death is by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

7. There shall not be any statute of limitations or time limits on cause of death when death is the final result or determined to be caused by homicide, suicide, accident, criminal abortion including those self-induced, child fatality, or any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead, but the final investigation of death determining the cause and manner of death shall revert to the county of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death. The certificate of death shall be filed in the county where the deceased was pronounced dead.

8. Except as provided in subsection 6 of this section, if a person dies in one county and the body is

subsequently transferred to another county, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

9. In performing the duties, the coroner or medical examiner shall comply with sections 58.775 to 58.785 with respect to organ donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Lines 2 and 3, by deleting the words, “emergency administration of epinephrine by auto-injector” and insert in lieu thereof the words, “health care”; and

Further amend said bill, Page 3, Section 196.990, Line 84, by inserting after all of said line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; **the prescribing and dispensing of self-administered oral hormonal contraceptives under section 338.660**; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

12. In addition to other requirements established by the joint promulgation of rules by the board of

pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

(1) The identity of the patient;

(2) The identity of the vaccine or vaccines administered;

(3) The route of administration;

(4) The anatomic site of the administration;

(5) The dose administered; and

(6) The date of administration.

338.660. 1. For purposes of this chapter, “self-administered oral hormonal contraceptive” shall mean a drug composed of a combination of hormones that is approved by the Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may take orally.

2. A pharmacist may prescribe and dispense self-administered oral hormonal contraceptives to a person who is:

(1) Eighteen years of age or older, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive; or

(2) Under eighteen years of age, if the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive.

3. The board of pharmacy shall adopt rules, in consultation with the board of registration for the healing arts, board of nursing, and department of health and senior services, and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, to establish standard procedures for the prescribing of self-administered oral hormonal contraceptives by pharmacists. The board of pharmacy shall adopt rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to

chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

4. The rules adopted under this section shall require a pharmacist to:

(1) Complete a training program approved by the board of pharmacy that is related to prescribing self-administered oral hormonal contraceptives;

(2) Provide a self-screening risk assessment tool that the patient shall use prior to the pharmacist's prescribing the self-administered oral hormonal contraceptive;

(3) Refer the patient to the patient's primary care practitioner or women's health care practitioner upon prescribing and dispensing the self-administered oral hormonal contraceptive;

(4) Provide the patient with a written record of the self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women's health care practitioner; and

(5) Dispense the self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

5. The rules adopted under this section shall prohibit a pharmacist from:

(1) Requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a self-administered oral hormonal contraceptive; and

(2) Prescribing and dispensing a self-administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following the initial prescription and dispensation of a self-administered oral hormonal contraceptive by a pharmacist to the patient.

6. All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services shall apply to self-administered oral hormonal contraceptives prescribed by a pharmacist under this section.

376.1240. 1. For purposes of this section, the terms "health carrier" and "health benefit plan" shall have the same meaning as defined in section 376.1350. The term "prescription contraceptive" shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2017, and that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for a dispensing of prescription contraceptives intended to last for a:

(1) Three-month period for the first dispensing of the prescription contraceptive to an insured; and

(2) Twelve-month period for subsequent dispensations of the same contraceptive to the insured regardless of whether the insured was enrolled in the health benefit plan or policy at the time of the first dispensing.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 657**, entitled:

An Act to repeal sections 319.114, 414.036, and 414.255, RSMo, and to enact in lieu thereof three new sections relating to liability for the use of incompatible motor fuel.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 657, Page 1, In the Title, Line 3, by deleting the words “liability for the use of incompatible motor fuel” and inserting in lieu thereof the phrase “motor vehicles”; and

Further amend said bill, Page 3, Section 414.036, Line 29, by inserting after all of said section and line the following:

“414.082. 1. The fee for the inspection of gasoline, gasoline-alcohol blends, kerosene, diesel fuel, heating oil, aviation turbine fuel, and other motor fuels under this chapter shall be fixed by the director of revenue at a rate per barrel which will approximately yield revenue equal to the expenses of administering this chapter; except that, until December 31, [1993, the rate shall be one and one-half cents per barrel and beginning January 1, 1994, the fee shall not be less than one and one-half cents per barrel nor exceed two and one-half] **2016, the rate shall not exceed two and one-half cents per barrel, from January 1, 2017, through December 31, 2021, the rate shall not exceed four cents per barrel, and after January 1, 2022, the rate shall not exceed five cents per barrel.**

2. Annually the director of the department of agriculture shall ascertain the total expenses for administering sections 414.012 to 414.152 during the preceding year, and shall forward a copy of such expenses to the director of revenue. The director of revenue shall fix the inspection fee for the ensuing calendar year at such rate per barrel, within the limits established by subsection 1 of this section, as will approximately yield revenue equal to the expenses of administering sections 414.012 to 414.152 during the preceding calendar year and shall collect the fees and deposit them in the state treasury to the credit of the “Petroleum Inspection Fund” which is hereby created. Beginning July 1, 1988, all expenses of administering sections 414.012 to 414.152 shall be paid from appropriations made out of the petroleum inspection fund.

3. The unexpended balance in the fund at the end of each fiscal year shall not be transferred to the general revenue fund of the state, and the provisions of section 33.080 relating to the transfer of funds to the general revenue fund of the state by the state treasurer shall not apply to this fund.

4. The state treasurer shall invest all sums in the petroleum inspection fund not needed for current operating expenses in interest-bearing banking accounts or United States government obligations in the manner provided by law. All yield, increment, gain, interest or income derived from the investment of these sums shall accrue to the benefit of, and be deposited within the state treasury to the credit of, the petroleum inspection fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 657, Page 6, Section 414.255, Line 102, by inserting immediately after the number “**301.580**,” the following:

“and no manufacturer or dealer of internal combustion engines or a product powered by an internal combustion engine”; and

Further amend said substitute, page, and section, Line 108, by inserting immediately after the word **“vehicle”** the words **“or products”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 657, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following words “sections relating to motor vehicles.”; and

Further amend said bill, page, Section A, Line 3, by inserting after all of said section and line the following:

“302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person’s driver’s license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441**. These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person’s vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly

or partially owns an entity that owns an employer-owned vehicle.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Matthew L. Dameron, Democrat, 11518 Wornall Road, Kansas City, Jackson County, Missouri 64114, as a member of the Missouri Development Finance Board, for a term ending September 14, 2019, and until his successor is duly appointed and qualified; vice, Matthew L. Dameron, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Larry D. Hale, Democrat, 1444 Eagle Ridge Road, Glencoe, Saint Louis County, Missouri 63038, as a member of the Missouri Gaming Commission, for a term ending April 29, 2021, and until his successor is duly appointed and qualified; vice, Larry D. Hale, term expires April 29, 2016.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brian Jamison, Republican, 5208 Thornbrook Parkway, Columbia, Boone County, Missouri 65203, as a member of the Missouri Gaming Commission, for a term ending April 29, 2021, and until his successor is duly appointed and qualified; vice, Brian Jamison, term expires April 29, 2016.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John E. Mehner, Republican, 432 Sequoyah Lane, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Development Finance Board, for a term ending September 14, 2019, and until his successor is duly appointed and qualified; vice, John E. Mehner, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Martin Rucker, Democrat, 2703 Meadow Ridge Drive, Saint Joseph, Buchanan County, Missouri 64504, as a member of the Board of Probation and Parole, for a term ending April 26, 2022, and until his successor is duly appointed and qualified; vice, Martin Rucker, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 26, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jimmie Lee Wells, Democrat, 12488 Highway Y, Bowling Green, Pike county, Missouri 63334, as a member of the Board of Probation and Parole, for a term ending April 26, 2022, and until his successor is duly appointed and qualified; vice, Jimmie Lee Wells, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above appointments and reappointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 2063, regarding Dr. Donald M. Claycomb, Linn, which was adopted.

Senator Pearce offered Senate Resolution No. 2064, regarding Carroll County Memorial Hospital, Carrollton, which was adopted.

Senator Cunningham offered Senate Resolution No. 2065, regarding Chip and Teresa McGeehan, Marshfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 2066, regarding Mike and Laura Vinehout, Marshfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 2067, regarding Strothkamp Brothers, Incorporated, Manchester, which was adopted.

Senator Sifton offered Senate Resolution No. 2068, regarding Sarah Booth Riss, Ed.D., M.S., B.S., Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 2069, regarding Sister Michelle Emmerich, SSND, PhD, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 2070, regarding Innovet, Inc., Saint Louis, which was adopted.

Senator Romine offered Senate Resolution No. 2071, regarding David Christopher Warrent and Twyla Dawn (Johnson) Warren, Bonne Terre, which was adopted.

Senator Riddle offered Senate Resolution No. 2072, regarding Jared Bethel, LPN, Mexico, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Chris Jarboe, Holts Summit; and Emma Verslues, Jefferson City.

Senator Riddle introduced to the Senate, law enforcement officers from the Missouri State Highway Patrol; Montgomery County Sheriff's Department; Warren County Sheriff's Department; Gasconade County Sheriff's Department; Montgomery City Police Department; New Florence Police Department; Wellsville Police Department; Jonesburg Police Department; High Hill Police Department; Hermann Police Department; East Central Drug Task Force; Missouri Department of Conservation; Federal Bureau of Investigation; and the Bureau of Alcohol, Tobacco, and Firearms.

Senator Walsh introduced to the Senate, Josh and Elly Schulze, and their children Rebecca and Henry, Florissant.

Senator Kehoe introduced to the Senate, teachers, parents and fourth grade students from St. Peter's School, Jefferson City.

Senator Cunningham introduced to the Senate, Robbie and Shirley Collins and their son Jacob; and members of the 4-H Shooting Sports National Championship Team, Willow Springs.

Senator Parson introduced to the Senate, Leroy and Geniene Brown and their daughter Michaela, 4-H Shooting Sports Team, Polk County.

Senator Emery introduced to the Senate, Hunter Kelley and Noah Descombs, 4-H Shooting Sports Team, Pleasant Hill.

Senator Riddle introduced to the Senate, teacher Kathy Heppermann, parents and fifth grade students from Immaculate Conception School, Old Monroe.

Senator Schaaf introduced to the Senate, Head Coach Brett Goodwin, Assistant Coach Mitch Girres, and members of the Class 4 State Champion Girls Basketball Team, Benton High School, St. Joseph.

Senator Walsh introduced to the Senate, Principal Mary Ann Kauffman, teacher Theresa Kremer, and twenty-two seventh grade students from St. Angela Merici Catholic Elementary School; and Lauren Garrett, Nadia Bazile and Dean Palmer were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-NINTH DAY–WEDNESDAY, APRIL 27, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Flanigan
HCS for HB 2496
HCS for HB 1448
HB 2028-Hoskins
HB 1852-Rowland
HB 2065-Berry
HB 2093-Chipman
HCS for HB 1928
HB 2237-Rowden
HCS for HB 2345

HB 1585-Hill
HCS for HB 1955
HB 1969-Anderson
HCS for HB 2057
HCS for HB 1561
HB 1754-Bahr
HB 1867-Fitzpatrick
HCS for HB 1679
HB 1468-Burlison

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)
SCS for SB 998-Romine (In Fiscal Oversight)

SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)
SB 884-Munzlinger (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

HB 1855-Allen (Schaaf) (In Fiscal Oversight)
HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
HCS for HBs 2234 & 1985 (Pearce)
(In Fiscal Oversight)
HCS for HBs 1646, 2132 & 1621, with
SCS (Riddle) (In Fiscal Oversight)

HB 1565-Engler (Romine)
(In Fiscal Oversight)
HCS for HB 1696, with SCS (Riddle)
(In Fiscal Oversight)
HB 1892-Rehder (Schatz)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 596-Kraus, with SCS
SB 613-Cunningham, et al, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS
SBs 662 & 587-Dixon, with SCS
SB 663-Dixon, with SCS & SA 1 (pending)
SB 680-Emery
SB 686-Wallingford, with SCS
SB 706-Dixon
SB 719-Emery, with SCS
SB 733-Dixon
SB 734-Dixon
SB 771-Onder
SB 772-Onder, with SCS
SB 774-Schmitt
SB 775-Schaefer
SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 788-Schatz, with SCS & SS for SCS
(pending)
SBs 789 & 595-Wasson, with SCS
SB 792-Richard
SB 793-Richard
SB 798-Kraus, with SCS
SB 802-Sater
SB 805-Onder, with SCS
SB 806-Onder, with SCS
SB 812-Keaveny
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)
SB 830-Wasson, with SCS
SB 848-Emery, with SCS
SBs 851 & 694-Brown, with SCS
SB 853-Brown
SB 858-Romine, with SCS & SS for SCS
(pending)
SB 868-Wasson
SB 871-Wallingford
SB 883-Riddle
SB 894-Munzlinger, with SS (pending)

SB 896-Hegeman
 SB 898-Cunningham
 SB 908-Sater, with SCS
 SB 916-Schaefer
 SB 920-Schmitt and Kraus
 SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder
 SB 1005-Walsh
 SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon

SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS
 SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1452-Hoskins, with SCS (Pearce)
 HB 1472-Dugger (Dixon)
 HCS for HB 1477 (Munzlinger)
 HB 1479-Entlicher (Romine)
 HB 1530-Brown (57) (Munzlinger)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HCS for HB 1584, with SCS (Schmitt)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 1 (pending) (Kraus)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1717 (Wallingford)
 HCS for HB 1729 (Munzlinger)

HB 1733-Davis (Kraus)
 HB 1745-Brattin, with SCS (Schatz)
 HCS for HBs 1780 & 1420 (Pearce)
 HB 1795-Haefner, with SCS (Sater)
 HCS for HB 1804, with SCS (Emery)
 HCS for HB 1850 (Wasson)
 HCS for HB 1904, with SCS (Wallingford)
 HCS for HB 1976, with SCS (Munzlinger)
 HB 2166-Alferman, with SCS, SS#2 for
 SCS, SA 1 & SSA 1 for SA 1 (pending)
 (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HB 2226-Barnes (Silvey)
 HB 2230-Ross (Schatz)
 HB 2257-Jones, with SCS (Wieland)
 HCS for HB 2332, with SCS (Dixon)
 HCS for HB 2397 (Romine)
 HB 2429-Dohrman, with SCS (Parson)

HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2689 (Silvey)

HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
HB 2428-Swan (Pearce)
HB 2195-Hoskins (Pearce)
HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 1559-McCann Beatty (Curls)
HB 2183-Roeber (Curls)
HCS for HB 2453, with SCS (Schaaf)
HB 2480-Justus (Sater)

HB 1473-Dugger, with SCS (Wasson)
HCS for HB 1480 (Hegeman)
HB 1388-Roeber (Dixon)
HB 1593-Crawford (Hegeman)
HB 2591, HB 1958 & HB 2369-Richardson,
with SCS (Libla)
HB 2335-Houghton, with SCS (Riddle)
HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 639-Riddle, with HCS, as amended
SS for SCS for SB 657-Munzlinger, with
HCS, as amended

SB 677-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SB 621-Romine, with HCS, as
amended

RESOLUTIONS

Reported from Committee

SCR 42-Curls

SCR 45-Dixon

SCR 50-Nasheed
SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 65-Schaefer
SCR 68-Schupp
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

To be Referred

SR 2062-Pearce

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-NINTH DAY—WEDNESDAY, APRIL 27, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The prayer of the righteous is powerful and effective.” (James 5:16)

Gracious Father, help us to examine every passing day in order to find purpose and the path that You would lead us. We pray that You provide us the persistence to remain faithful in our prayers and in the work that flows from them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 2073, regarding Sheli Wright, Nixa, which was adopted.

Senator Wieland offered Senate Resolution No. 2074, regarding Eagle Scout Blake Michael Lowry, De Soto, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 700**.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, and House Amendment No. 2.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1**

Amend House Amendment No. 1 to Senate Bill No. 700, Page 1, Line 7, by deleting all of said line and inserting in lieu thereof the following:

“44.023. 1. The Missouri state emergency management agency shall establish and administer an emergency volunteer program to be activated in the event of a disaster whereby volunteer architects, [and professional] engineers [registered] **licensed** under chapter 327, **any individual including, but not limited to, building officials and building inspectors employed by local governments, qualified by training and experience, who has been certified by the state emergency management agency, and who performs his or her duties under the direction of an architect or engineer licensed under chapter 327,** and construction contractors, equipment dealers and other owners and operators of construction equipment may volunteer the use of their services and equipment, either manned or unmanned, for up to [three] **five consecutive days for in-state deployments** as requested and needed by the state emergency management agency.

2. In the event of a disaster, the enrolled volunteers shall, where needed, assist local jurisdictions and local building inspectors to provide essential demolition, cleanup or other related services and to determine whether [buildings] **structures** affected by a disaster:

(1) Have not sustained serious damage and may be occupied;

(2) Must be [vacated temporarily] **restricted in their use** pending repairs; or

(3) [Must be demolished in order to avoid hazards to occupants or other persons] **Are unsafe and shall not be occupied pending repair or demolition.**

3. Any person when utilized as a volunteer under the emergency volunteer program shall have his **or her** incidental expenses paid by the local jurisdiction for which the volunteer service is provided. **Enrolled volunteers under the emergency volunteer program shall be provided workers' compensation insurance by the state emergency management agency during their official duties as authorized by the state emergency management agency.**

4. **Emergency volunteers who are certified by the state emergency management agency shall be considered employees of the state for purposes of the emergency mutual aid compact under section**

44.415 and shall be eligible for out-of-state deployments in accordance with such section.

5. Architects, [and professional] engineers, individuals including, but not limited to, building officials and building inspectors employed by local governments, qualified by training and experience, who have been certified by the state emergency management agency, and who perform their duties under the direction of an architect or engineer licensed under chapter 327, construction contractors, equipment dealers and other owners and operators of construction equipment and the companies with which they are employed, working under the emergency volunteer program, shall not be personally liable either jointly or separately for any act or acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.

[5.] **6. Any individuals, employers, partnerships, corporations or proprietorships, that are working under the emergency volunteer program providing demolition, cleanup, removal or other related services, shall not be liable for any acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.**

287.245. 1. As used in this section, the following terms shall mean:”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 700, Page 1, In the Title, Line 3, by deleting the words “premium rates”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“287.245. 1. As used in this section, the following terms shall mean:

(1) “Association”, volunteer fire protection associations as defined in section 320.300;

(2) “State fire marshal”, the state fire marshal selected under the provisions of sections 320.200 to 320.270;

(3) “Volunteer firefighter”, the same meaning as in section 287.243.

2. Any association may apply to the state fire marshal for a grant for the purpose of funding such association’s costs related to workers’ compensation insurance premiums for volunteer firefighters.

3. Subject to appropriations, the state fire marshal shall disburse grants to each applying volunteer fire protection association according to the following schedule:

(1) Associations which had zero to five volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for two thousand dollars in grant money;

(2) Associations which had six to ten volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for one thousand five hundred dollars in grant money;

(3) Associations which had eleven to fifteen volunteer firefighters receive workers’ compensation

benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for one thousand dollars in grant money;

(4) Associations which had sixteen to twenty volunteer firefighters receive workers' compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for five hundred dollars in grant money.

4. Grant money disbursed under this section shall only be used for the purpose of paying for the workers' compensation insurance premiums of volunteer firefighters.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 700, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

“287.090. 1. This chapter shall not apply to:

(1) Employment of farm labor, domestic servants in a private home, including family chauffeurs, or occasional labor performed for and related to a private household;

(2) Qualified real estate agents and direct sellers as those terms are defined in Section 3508 of Title 26 United States Code;

(3) Employment where the person employed is an inmate confined in a state prison, penitentiary or county or municipal jail, or a patient or resident in a state mental health facility, and the labor or services of such inmate, patient, or resident are exclusively on behalf of the state, county or municipality having custody of said inmate, patient, or resident. Nothing in this subdivision is intended to exempt employment where the inmate, patient or resident was hired by a state, county or municipal government agency after direct competition with persons who are not inmates, patients or residents and the compensation for the position of employment is not contingent upon or affected by the worker's status as an inmate, patient or resident;

(4) Except as provided in section 287.243, volunteers of a tax-exempt organization which operates under the standards of Section 501(c)(3) **or Section 501(c)(19)** of the federal Internal Revenue Code, where such volunteers are not paid wages, but provide services purely on a charitable and voluntary basis;

(5) Persons providing services as adjudicators, sports officials, or contest workers for interscholastic activities programs or similar amateur youth programs who are not otherwise employed by the sponsoring school, association of schools or nonprofit tax-exempt organization sponsoring the amateur youth programs.

2. Any employer exempted from this chapter as to the employer or as to any class of employees of the employer pursuant to the provisions of subdivision (3) of subsection 1 of section 287.030 or pursuant to subsection 1 of this section may elect coverage as to the employer or as to the class of employees of that employer pursuant to this chapter by purchasing and accepting a valid workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member. The election shall take effect on the effective date of the workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member, and continue

while such policy or endorsement remains in effect or until further written notice to the group self-insurer of which the employer is a member. Any such exempt employer or employer with an exempt class of employees may withdraw such election by the cancellation or nonrenewal of the workers' compensation insurance policy or endorsement, or by written notice to the group self-insurer of which the employer is a member. In the event the employer is electing out of coverage as to the employer, the cancellation shall take effect on the later date of the cancellation of the policy or the filing of notice pursuant to subsection 3 of this section.

3. Any insurance company authorized to write insurance under the provisions of this chapter in this state shall file with the division a memorandum on a form prescribed by the division of any workers' compensation policy issued to any employer and of any renewal or cancellation thereof.

4. The mandatory coverage sections of this chapter shall not apply to the employment of any member of a family owning a family farm corporation as defined in section 350.010 or to the employment of any salaried officer of a family farm corporation organized pursuant to the laws of this state, but such family members and officers of such family farm corporations may be covered under a policy of workers' compensation insurance if approved by a resolution of the board of directors. Nothing in this subsection shall be construed to apply to any other type of corporation other than a family farm corporation.

5. A corporation may withdraw from the provisions of this chapter, when there are no more than two owners of the corporation who are also the only employees of the corporation, by filing with the division notice of election to be withdrawn. The election shall take effect and continue from the date of filing with the division by the corporation of the notice of withdrawal from liability under this chapter. Any corporation making such an election may withdraw its election by filing with the division a notice to withdraw the election, which shall take effect thirty days after the date of the filing, or at such later date as may be specified in the notice of withdrawal.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 814**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax deductions for active duty military personnel.

In which the concurrence of the Senate is respectfully requested.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 613**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 613**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 613

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the provision of

grants for the purpose of funding the workers' compensation premiums of volunteer fire departments.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 613** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 613, Page 1, In the Title, Line 2, by striking the word "the"; and further amend lines 3-4, by striking all of said lines and inserting in lieu thereof the following: "worker's compensation."; and

Further amend said bill, page 2, section 287.245, line 37, by inserting after all of said line the following:

"287.957. The experience rating plan shall contain reasonable eligibility standards, provide adequate incentives for loss prevention, and shall provide for sufficient premium differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective premium adjustments based upon an insured's past experience. Such system shall provide for retrospective adjustment of an experience modification and premiums paid pursuant to such experience modification where a prior reserved claim produced an experience modification that varied by greater than fifty percent from the experience modification that would have been established based on the settlement amount of that claim. The rating plan shall prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan**, and the employer pays all of the total medical costs and there is no lost time from the employment, other than the first three days or less of disability under subsection 1 of section 287.160, and no claim is filed. An employer opting to utilize this provision maintains an obligation to report the injury under subsection 1 of section 287.380.

287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1,

1999. This subsection shall become effective on January 1, 2014.

4. For the purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SCS** for **SB 613**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 613**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1477**, entitled:

An Act to repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political parties, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

Senator Munzlinger offered **SS** for **HCS** for **HB 1477**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1477

An Act to repeal section sections 115.306, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof ten new sections relating to political parties, with an emergency clause.

Senator Hegeman assumed the Chair.

Senator Munzlinger moved that **SS** for **HCS** for **HB 1477** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **HCS** for **HB 1477** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1584**, with **SCS**, entitled:

An Act to repeal section 559.600 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 559.600 as enacted by house bill no. 1550, ninety-fourth general assembly, second regular session, and to enact in lieu thereof one new section relating to private probation services for misdemeanor offenders.

Was called from the Informal Calendar and taken up by Senator Schmitt.

At the request of Senator Schmitt, **HCS** for **HB 1584**, with **SCS**, was placed on the Informal Calendar.

HB 1733, introduced by Representative Davis, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Kraus.

Senator Kraus offered **SS** for **HB 1733**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1733

An Act to repeal sections 302.276, 304.022, 304.044, 304.170, and 307.175, RSMo, and to enact in lieu thereof six new sections relating to the regulation of vehicles, with penalty provisions.

Senator Kraus moved that **SS** for **HB 1733** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1733, Page 15, Section 307.175, Line 18, by inserting after all of said line the following:

“577.060. 1. A person commits the offense of leaving the scene of an accident when:

(1) Being the operator of a vehicle or a vessel involved in an accident resulting in injury or death or damage to property of another person; and

(2) Having knowledge of such accident he or she leaves the place of the injury, damage or accident without stopping and giving the following information to the other party or to a law enforcement officer, or if no law enforcement officer is in the vicinity, then to the nearest law enforcement agency:

(a) His or her name;

(b) His or her residence, including city and street number;

(c) The registration or license number for his or her vehicle or vessel; and

(d) His or her operator’s license number, if any.

2. For the purposes of this section, all law enforcement officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned property for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. The offense of leaving the scene of an accident is:

(1) A class A misdemeanor; [or]

(2) A class E felony if:

(a) Physical injury was caused to another party; or

(b) Damage in excess of one thousand dollars was caused to the property of another person; or

(c) The defendant has previously been found guilty of any offense committed in another jurisdiction which, if committed in this state, would be a violation of an offense in this section; **or**

(3) A class D felony if a death has occurred as a result of the accident.

4. A law enforcement officer who investigates or receives information of an accident involving an all-terrain vehicle and also involving the loss of life or serious physical injury shall make a written report of the investigation or information received and such additional facts relating to the accident as may come to his or her knowledge, mail the information to the department of public safety, and keep a record thereof in his or her office.

5. The provisions of this section shall not apply to the operation of all-terrain vehicles when property damage is sustained in sanctioned all-terrain vehicle races, derbies and rallies.

577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to his culpability or to accident, he leaves the place of the injury, damage or accident without stopping and giving his name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be:

(1) A class D felony if the accident resulted in:

[(1)] (a) Physical injury to another party; [or]

[(2)] (b) Property damage in excess of one thousand dollars; or

[(3)] (c) If the defendant has previously pled guilty to or been found guilty of a violation of this section;

or

(2) A class C felony if a death has occurred as a result of the accident.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 1733, Page 1, Section A, Line 4, by inserting after all of said line the following:

“301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the [motor carrier and railroad safety division] **highways and transportation commission** of the department of [economic development] **transportation**. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The

permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Riddle assumed the Chair.

Senator Kraus moved that **SS** for **HB 1733**, as amended, be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **HB 1733**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Richard referred **SS** for **HB 1733**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Schmitt moved that **HCS** for **HB 1584**, with **SCS**, be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 1584**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1584

An Act to repeal section 84.720, RSMo, section 559.600 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 559.600 as enacted by house bill no. 1550, ninety-fourth general assembly, second regular session, and to enact in lieu thereof two new sections relating to private entities providing public safety services, with an existing penalty provision.

Was taken up.

Senator Hegeman assumed the Chair.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1584** be adopted.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1584, Page 3, Section 559.600, Line 21, by inserting after all of said line the following:

“590.750. 1. The department of public safety shall have the sole authority to regulate and license all corporate security advisors. Licensed corporate security advisors who are not also commissioned by the department shall not have the power of arrest for violations of the criminal code, except as otherwise provided by law.

2. The director shall have the [sole] authority to commission corporate security advisors. No person shall hold a commission as a corporate security advisor without a valid peace officer license. The director [shall] **may** commission corporate security advisors as he or she deems appropriate, taking into consideration the education, training, and experience of each individual in relation to the powers of peace officers and the limitations on the powers of peace officers in regard to the constitutional rights of citizens to be secure in

their persons and property. Each individual commissioned by the department shall be issued a commission by the director of the department [and before entering into the performance of his or her duties shall subscribe before the clerk of a circuit court of this state an oath, in the form prescribed by Article VII, Section 11 of the Constitution of Missouri, to support the Constitution and laws of the United States and this state; to faithfully demean himself or herself in the office; and to faithfully perform the duties of the office. The executed oath of office, along with a copy of the individual's commission, shall be filed with the director until the commission is terminated or revoked].

3. The authority and jurisdiction of a corporate security advisor shall be limited [only by] **to the geographical limits of the [state] property owned or leased by the corporation and then only when the corporate security advisor is on duty**, unless the corporate security advisor's license is recognized by the laws or regulations of another state or the federal government **and then only within the physical boundaries of the property owned or leased by the corporation and only when the corporate security advisor is on duty**.

4. The department shall establish a minimum amount of liability insurance to be provided by the prospective or current employer of the corporate security advisor, and require the employer to provide a statement that the corporate security advisor will be included in the policy as a named insured.

5. Acting as a corporate security advisor without a license from the department of public safety is a class A misdemeanor.

6. The director may promulgate rules to implement the provisions of this section under chapter 536 and section 590.190.

7. Any corporate security advisor licensed as of February 1, 2014, shall not be required to apply for a new license from the department until the advisor's license expires or is otherwise revoked.

8. All applications for corporate security advisor licenses shall be made upon such forms and in such manner as the director shall prescribe. The department shall charge a fee for issuance of a license under this section in an amount, not to exceed two hundred **ten** dollars, established by regulation promulgated in accordance with the provisions of chapter 536.

9. Nothing in this section is intended to nor shall it be construed as a waiver of sovereign immunity or the acknowledgment or creation of any liability on the part of the state for personal injury, death, or property damage. The department of public safety and the director shall have immunity from civil liability arising out of the commissioning of corporate security advisors under this section.”; and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted.

At the request of Senator Schmitt, **HCS for HB 1584**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

CONCURRENT RESOLUTIONS

Senator Curls moved that **SCR 42** be taken up for adoption, which motion prevailed.

On motion of Senator Curls, **SCR 42** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

SCR 50, introduced by Senator Nasheed, entitled:

Relating to recognition of September as Suicide Prevention Awareness Month in Missouri.

Was taken up.

On motion of Senator Nasheed, **SCR 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Nasheed, title to the concurrent resolution was agreed to.

Senator Nasheed moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCR 65, introduced by Senator Schaefer, entitled:

Relating to ride to work day in Missouri.

Was taken up.

On motion of Senator Schaefer, **SCR 65** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Schaefer, title to the concurrent resolution was agreed to.

Senator Schaefer moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Riddle moved that the Senate refuse to concur in **HCS** for **SB 639**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 677**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 613**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SR 2062** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1643**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 2104**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1675**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 2381**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HB 1577**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1433**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 1930**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 2202**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 2376**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1713**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1898**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 2380**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 2075, regarding Lynn Tatum, Pineville, which was adopted.

Senator Libla offered Senate Resolution No. 2076, regarding Larry Ward, which was adopted.

Senator Libla offered Senate Resolution No. 2077, regarding Kathy Mooney Shelton, which was adopted.

Senator Libla offered Senate Resolution No. 2078, regarding Dustin Hicks, which was adopted.

Senator Libla offered Senate Resolution No. 2079, regarding the Jacob Goodin Auction Service, which was adopted.

Senator Libla offered Senate Resolution No. 2080, regarding Elvin and Jane Kingree, which was adopted.

Senator Libla offered Senate Resolution No. 2081, regarding the 2015-2016 Bloomfield High School basketball team, which was adopted.

Senator Libla offered Senate Resolution No. 2082, regarding Mike Davis, which was adopted.

Senator Libla offered Senate Resolution No. 2083, regarding Richard Rich, Poplar Bluff, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Onder.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 613** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Kehoe announced photographers from the Missouri net and The Missouri Times were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 660**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 607**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to public assistance programs.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 607, Page 2, Section 208.800, Lines 1-3, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 607, Page 2, Section 208.800, Line 3, by inserting after all of said section and line the following:

“208.952. 1. There is hereby established [the] **a permanent** “Joint Committee on [MO HealthNet] **Public Assistance**”. The committee shall have [as its purpose the study of] the **following purposes**:

(1) Studying, monitoring, and reviewing the efficacy of the public assistance programs within the state;

(2) Determining the level and adequacy of resources needed [to continue and improve the MO HealthNet program over time] for the public assistance programs within the state; and

(3) Developing recommendations to the general assembly on the public assistance programs within the state and on promoting independence from safety net programs among participants as may be appropriate.

The committee shall receive and obtain information from the departments of social services, mental health, health and senior services, and elementary and secondary education, and any other department as applicable, regarding the public assistance programs within the state including, but

not limited to, MO HealthNet, the supplemental nutrition assistance program (SNAP), and temporary assistance for needy families (TANF). Such information shall include projected enrollment growth, budgetary matters, trends in childhood poverty and hunger, and any other information deemed to be relevant to the committee's purpose.

2. The directors of the department of social services, mental health, and health and senior services shall each submit an annual written report to the committee providing data and statistical information regarding the caseloads of the department's employees involved in the administration of public assistance programs.

3. The committee shall consist of ten members:

(1) The chair and the ranking minority member of the house **of representatives** committee on the budget;

(2) The chair and the ranking minority member of the senate committee on appropriations [committee];

(3) The chair and the ranking minority member of the **standing** house **of representatives** committee [on appropriations for health, mental health, and social services] **designated to consider public assistance legislation and matters**;

(4) The chair and the ranking minority member of the **standing** senate committee [on health and mental health] **designated to consider public assistance legislation and matters**;

(5) A representative chosen by the speaker of the house of representatives; and

(6) A senator chosen by the president pro [tem] **tempore** of the senate.

No more than [three] **four** members from each [house] **chamber** shall be of the same political party.

[2.] 4. A chair of the committee shall be selected by the members of the committee.

[3.] 5. The committee shall meet [as necessary] **at least twice a year. A portion of the meeting shall be set aside for the purpose of receiving public testimony. The committee shall seek recommendations from social, economic, and public assistance experts on ways to improve the effectiveness of public assistance programs, to improve program efficiency and reduce costs, and to promote self-sufficiency among public assistance recipients as may be appropriate.**

[4. Nothing in this section shall be construed as authorizing the committee to hire employees or enter into any employment contracts.

5. The committee shall receive and study the five-year rolling MO HealthNet budget forecast issued annually by the legislative budget office.]

6. **The committee is authorized to hire staff and enter into employment contracts including, but not limited to, an executive director to conduct special reviews or investigations of the public assistance programs within the state in order to assist the committee with its duties. Staff appointments shall be approved by the president pro tempore of the senate and the speaker of the house of representatives. The compensation of committee staff and the expenses of the committee shall be paid from the joint contingent fund or jointly from the senate and house of representatives contingent funds until an appropriation is made therefor.**

7. The committee shall **annually conduct a rolling five-year forecast of the public assistance programs within the state** and make recommendations in a report to the general assembly by January first each year, beginning in [2008] **2018**, on anticipated growth [in the MO HealthNet program] **of the public assistance programs within the state**, needed improvements, anticipated needed appropriations, and suggested strategies on ways to structure the state budget in order to satisfy the future needs of [the program] **such programs**.

[208.985. 1. Pursuant to section 33.803, by January 1, 2008, and each January first thereafter, the legislative budget office shall annually conduct a rolling five-year MO HealthNet forecast. The forecast shall be issued to the general assembly, the governor, the joint committee on MO HealthNet, and the oversight committee established in section 208.955. The forecast shall include, but not be limited to, the following, with additional items as determined by the legislative budget office:

- (1) The projected budget of the entire MO HealthNet program;
- (2) The projected budgets of selected programs within MO HealthNet;
- (3) Projected MO HealthNet enrollment growth, categorized by population and geographic area;
- (4) Projected required reimbursement rates for MO HealthNet providers; and
- (5) Projected financial need going forward.

2. In preparing the forecast required in subsection 1 of this section, where the MO HealthNet program overlaps more than one department or agency, the legislative budget office may provide for review and investigation of the program or service level on an interagency or interdepartmental basis in an effort to review all aspects of the program.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 607, Page 2, Section 208.800, Line 3, by inserting after all of said section and line the following:

“208.1030. 1. An eligible provider, as described in subsection 2 of this section, may, in addition to the rate of payment that the provider would otherwise receive for Medicaid ground emergency medical transportation services, receive MO HealthNet supplemental reimbursement to the extent provided by law.

2. A provider shall be eligible for Medicaid supplemental reimbursement if the provider meets the following characteristics during the state reporting period:

- (1) Provides ground emergency medical transportation services to MO HealthNet participants;**
- (2) Is enrolled as a MO HealthNet provider for the period being claimed; and**
- (3) Is owned, operated, or contracted by the state or a political subdivision.**

3. An eligible provider's Medicaid supplemental reimbursement under this section shall be calculated and paid as follows:

(1) The supplemental reimbursement to an eligible provider, as described in subsection 2 of this section, shall be equal to the amount of federal financial participation received as a result of the claims submitted under subdivision (2) of subsection 6 of this section;

(2) In no instance shall the amount certified under subdivision (1) of subsection 5 of this section, when combined with the amount received from all other sources of reimbursement from the MO HealthNet program, exceed one hundred percent of actual costs, as determined under the Medicaid state plan for ground emergency medical transportation services; and

(3) The supplemental Medicaid reimbursement provided by this section shall be distributed exclusively to eligible providers under a payment methodology based on ground emergency medical transportation services provided to MO HealthNet participants by eligible providers on a per-transport basis or other federally permissible basis. The department of social services shall obtain approval from the Centers for Medicare and Medicaid Services for the payment methodology to be utilized and shall not make any payment under this section prior to obtaining that approval.

4. An eligible provider, as a condition of receiving supplemental reimbursement under this section, shall enter into and maintain an agreement with the department's designee for the purposes of implementing this section and reimbursing the department of social services for the costs of administering this section. The non-federal share of the supplemental reimbursement submitted to the Centers for Medicare and Medicaid Services for purposes of claiming federal financial participation shall be paid with funds from the governmental entities described in subdivision (3) of subsection 2 of this section and certified to the state as provided in subsection 5 of this section.

5. Participation in the program by an eligible provider described in this section is voluntary. If an applicable governmental entity elects to seek supplemental reimbursement under this section on behalf of an eligible provider owned or operated by the entity, as described in subdivision (3) of subsection 2 of this section, the governmental entity shall do the following:

(1) Certify in conformity with the requirements of 42 CFR 433.51 that the claimed expenditures for the ground emergency medical transportation services are eligible for federal financial participation;

(2) Provide evidence supporting the certification as specified by the department of social services;

(3) Submit data as specified by the department of social services to determine the appropriate amounts to claim as expenditures qualifying for federal financial participation; and

(4) Keep, maintain, and have readily retrievable any records specified by the department of social services to fully disclose reimbursement amounts to which the eligible provider is entitled and any other records required by the Centers for Medicare and Medicaid Services.

6. The department of social services shall be authorized to seek any necessary federal approvals for the implementation of this section. The department may limit the program to those costs that are allowable expenditures under Title XIX of the Social Security Act, 42 U.S.C. Section 1396, et seq.

(1) The department of social services shall submit claims for federal financial participation for

the expenditures for the services described in subsection 5 of this section that are allowable expenditures under federal law.

(2) The department of social services shall, on an annual basis, submit any necessary materials to the federal government to provide assurances that claims for federal financial participation shall include only those expenditures that are allowable under federal law.

208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced EMT, EMT intermediate, or paramedic levels in the pre-stabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

(1) Provides ground emergency medical transport services to MO HealthNet managed care participants pursuant to a contract or other arrangement with MO HealthNet or a MO HealthNet managed care plan; and

(2) Is owned, operated, or contracted by the state or a political subdivision.

3. To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(1) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(2) Except as provided in subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(3) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and pre-stabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and

increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 607, Page 2, Section 208.065, Line 31, by inserting after all of said section and line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as [defined] **described** in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children’s diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than

eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term “temporary leave of absence” shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians’ services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician

to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and

for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per

hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of

MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as [defined] **described** in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term “hospice care” means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part

of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division[,] may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536.

14. Beginning July 1, 2016, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill and page, Section 208.800, Line 3, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to ensure the provision of vital health care services for MO HealthNet recipients, the repeal and reenactment of section 208.152 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 208.152 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 607, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“167.267. Certified music therapists who have completed the education and clinical training requirements established by the American Music Therapy Association and passed the Certification Board for Music Therapists certification examination shall be deemed as certified by the department of elementary and secondary education for the purposes of providing services identified in an individualized family service plan in the first steps program under sections 160.900 to 160.925.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HBs 1646, 2132 and 1621**, with **SCS**; **HCS** for **HBs 2234 and 1985**; and **SB 884**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **HCS** for **HB 1584**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Parson, the above amendment was withdrawn.

Senator Parson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1584, Page 3, Section 559.600, Line 21, by inserting after all of said line the following:

“590.750. 1. The department of public safety shall have the sole authority to regulate and license all corporate security advisors. Licensed corporate security advisors who are not also commissioned by the department shall not have the power of arrest for violations of the criminal code, except as otherwise provided by law.

2. The director shall have the [sole] authority to commission corporate security advisors. No person shall hold a commission as a corporate security advisor without a valid peace officer license. The director [shall] **may** commission corporate security advisors as he or she deems appropriate, taking into consideration the education, training, and experience of each individual in relation to the powers of peace officers and the limitations on the powers of peace officers in regard to the constitutional rights of citizens to be secure in their persons and property. Each individual commissioned by the department shall be issued a commission

by the director of the department [and before entering into the performance of his or her duties shall subscribe before the clerk of a circuit court of this state an oath, in the form prescribed by Article VII, Section 11 of the Constitution of Missouri, to support the Constitution and laws of the United States and this state; to faithfully demean himself or herself in the office; and to faithfully perform the duties of the office. The executed oath of office, along with a copy of the individual's commission, shall be filed with the director until the commission is terminated or revoked].

3. The authority and jurisdiction of a corporate security advisor shall be limited only by the geographical limits of the state **and then only when the corporate security advisor is on duty**, unless the corporate security advisor's license is recognized by the laws or regulations of another state or the federal government **and then only when the corporate security advisor is on duty**.

4. The department shall establish a minimum amount of liability insurance to be provided by the prospective or current employer of the corporate security advisor, and require the employer to provide a statement that the corporate security advisor will be included in the policy as a named insured.

5. Acting as a corporate security advisor without a license from the department of public safety is a class A misdemeanor.

6. The director may promulgate rules to implement the provisions of this section under chapter 536 and section 590.190.

7. Any corporate security advisor licensed as of February 1, 2014, shall not be required to apply for a new license from the department until the advisor's license expires or is otherwise revoked.

8. All applications for corporate security advisor licenses shall be made upon such forms and in such manner as the director shall prescribe. The department shall charge a fee for issuance of a license under this section in an amount, not to exceed two hundred **ten** dollars, established by regulation promulgated in accordance with the provisions of chapter 536.

9. Nothing in this section is intended to nor shall it be construed as a waiver of sovereign immunity or the acknowledgment or creation of any liability on the part of the state for personal injury, death, or property damage. The department of public safety and the director shall have immunity from civil liability arising out of the commissioning of corporate security advisors under this section.”; and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS for HCS for HB 1584**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS for HCS for HB 1584**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 607**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1976**, with **SCS**, entitled:

An Act to repeal sections 385.200, 385.206, 385.300, and 385.306, RSMo, and to enact in lieu thereof six new sections relating to motor vehicle services, with a penalty provision.

Was taken up by Senator Munzlinger.

SCS for **HCS** for **HB 1976**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1976

An Act to repeal sections 304.154, 385.200, 385.206, 385.300, and 385.306, RSMo, and to enact in lieu thereof six new sections relating to motor vehicle services, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HB 1976** be adopted.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1976, Page 3, Section 304.154, Line 9, by inserting after the word “year,” the following: “**excluding any federal holidays,**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford assumed the Chair.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1976, Page 3,

Section 304.154, Line 8, by inserting after “available” the following: **“to a customer to make arrangements”**; and further amend line 8, by striking “twelve” and inserting in lieu thereof the following: **“ten”**; and further amend line 9, by striking “Saturday” and inserting in lieu thereof the following: **Friday**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1976, Page 3, Section 304.153, Line 73, by inserting after all of said line the following:

“8. The provisions of this section shall not apply to counties of the third or fourth classification.”; and

Further amend said bill, page 5, section 304.154, line 57, by inserting after all of said line the following:

“6. The provisions of subdivisions (3), (4), (6), and (10) of subsection 1 of this section, subsections 2, 4, and 5 of this section, and a provision in subdivision (1) of subsection 1 of this section requiring towing companies to display an address in a location visible from the street or road shall not apply to counties of the third or fourth classification.”.

Senator Pearce assumed the Chair.

Senator Parson moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Wasson offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1976, Page 1, Section A, Line 4, by inserting after all of said line the following:

“304.005. 1. As used in this section, the term “autocycle” means a three wheeled motor vehicle on which the drivers and passengers ride in a completely enclosed, tandem seating area that is equipped with air bag protection, a roll cage, safety belts for each occupant, and antilock brakes and that is designed to be controlled with a steering wheel and pedals.

2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an autocycle shall not be required to wear protective headgear if the vehicle is equipped with a roof that meets or exceeds the standards established for protective headgear.

3. No person shall operate an autocycle on any highway or street in this state unless the person has a valid driver’s license. The operator of an autocycle, however, shall not be required to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SCS for HCS for HB 1976**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS for HCS for HB 1976**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Walsh	Wasson

Wieland—29

NAYS—Senators

Parson	Sater	Wallingford—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

SCR 45, introduced by Senator Dixon, entitled:

Relating to the publishing of the Revised Statutes of Missouri.

Was taken up.

On motion of Senator Dixon, **SCR 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Dixon, title to the concurrent resolution was agreed to.

Senator Dixon moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HBs 2234** and **1985** was placed on the Informal Calendar.

HCS for **HBs 1646, 2132** and **1621**, with **SCS**, entitled:

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

Was taken up by Senator Riddle.

SCS for **HCS** for **HBs 1646, 2132** and **1621**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 1646, 2132 and 1621**

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof three new sections relating to civics education.

Was taken up.

Senator Riddle moved that **SCS** for **HCS** for **HBs 1646, 2132** and **1621** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **HCS** for **HBs 1646, 2132** and **1621** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 27, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Brian Jamison as a member of the Missouri Gaming Commission, submitted to you on April 26, 2016. Line 3 should be amended to read:

April 29, 2019, and until his successor is duly appointed and qualified; vice, Brian.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 27, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Larry D. Hale as a member of the Missouri Gaming Commission, submitted to you on April 26, 2016. Line 3 should be amended to read:

April 29, 2019, and until his successor is duly appointed and qualified; vice, Larry D.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 27, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

George Ratermann, Republican, 2804 Newbridge Court, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Missouri Ethics Commission, for a term ending March 15, 2020, and until his successor is duly appointed and qualified; vice, William Stoltz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the above addendums and appointment to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 663**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Munzlinger, the above amendment was withdrawn.

Senator Dixon offered **SS** for **SCS** for **SB 663**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 663

An Act to repeal sections 57.111, 192.2260, 192.2405, 211.059, 217.360, 217.670, 217.690, 217.722, 301.559, 304.351, 311.310, 327.272, 339.100, 400.9-501, 476.083, 477.650, 541.033, 542.296, 544.250, 545.400, 545.490, 562.014, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 579.015, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.055, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010, 577.012, 577.013, and 577.014 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof eighty-two new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Senator Dixon moved that **SS** for **SCS** for **SB 663** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 78, Section

478.252, Line 18 of said page, by inserting after all of said line the following:

“488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within [the thirty-first judicial circuit] **any judicial circuit composed of a single noncharter county** in all **civil and** criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge, **who shall deposit the funds in a separate account known as the “justice center fund”, to be established and maintained by the political subdivision.**

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, **planning**, construction, maintenance, and operation of any county or municipal judicial facility **or justice center** including, but not limited to, **architectural, engineering, and other plans and studies**, debt service, utilities, maintenance, and building security. The county or municipality shall maintain records identifying [such operating costs, and any moneys not needed for the operating costs of the county or municipal judicial facility shall be transmitted quarterly to the general revenue fund of the county or municipality respectively] **all funds received and expenditures made from their respective center funds.”**; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 118, Section 569.090, Line 12 of said page, by inserting after all of said line the following:

“569.132. 1. This section shall be known and may be cited as the “Crop Protection Act”.

2. A person commits the offense of prohibited acts involving crops if he or she:

(1) Intentionally causes the loss of any crop;

(2) **Intentionally contaminates, weakens**, damages, vandalizes, or steals any property in or on land on which a crop is located;

(3) Obtains access to a crop by false pretenses for the purpose of performing acts not authorized by the landowner;

(4) Enters or otherwise interferes with a crop with the intent to destroy, alter, duplicate or obtain unauthorized possession of such crop;

(5) Knowingly obtains, by theft or deception, control over a crop for the purpose of depriving the rightful owner of such crop, or for the purpose of destroying such crop; or

(6) Enters or remains on land on which a crop is located with the intent to commit an act prohibited by this section.

3. The offense of prohibited acts involving crops is a class A misdemeanor for each such violation unless:

(1) The loss or damage to the crop is seven hundred fifty dollars or more, in which case it is a class E felony;

(2) The loss or damage to the crop is one thousand dollars or more, in which case it is a class D felony;

(3) The loss or damage to the crop is twenty-five thousand dollars or more, in which case it is a class C felony;

(4) The loss or damage to the crop is seventy-five thousand dollars or more, in which case it is a class B felony.

4. Any person who has been damaged by a violation of this section shall have a civil cause of action under section 537.353.

5. Nothing in this section shall preclude any owner or operator injured in his or her business or on his or her property by a violation of this section from seeking appropriate relief under any other provision of law or remedy including the issuance of an injunction against any person who violates this section. The owner or operator of the business may petition the court to permanently enjoin such persons from violating this section, and the court shall provide such relief.

6. The director of the department of agriculture shall have the authority to investigate any alleged violation of this section, along with any other law enforcement agency, and may take any action within the director's authority necessary for the enforcement of this section. The attorney general, the highway patrol, and other law enforcement officials shall provide assistance required for the investigation.

7. The director may promulgate rules and regulations necessary for the enforcement of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2017, shall be invalid and void.”; and

Further amend said bill, Page 180, Section 578.040, Line 12 of said page, by inserting after all of said line the following:

“578.416. No person shall:

(1) Intentionally cause the loss of any crop;

(2) **Intentionally contaminate, weaken,** damage, vandalize, or steal any property in or on a crop;

(3) Obtain access to a crop by false pretenses for the purpose of performing acts not authorized by the landowner;

(4) Enter or otherwise interfere with a crop with the intent to destroy, alter, duplicate or obtain unauthorized possession of such crop;

(5) Knowingly obtain, by theft or deception, control over a crop for the purpose of depriving the rightful owner of such crop, or for the purpose of destroying such crop;

(6) Enter or remain on land on which a crop is located with the intent to commit an act prohibited by this section.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 94, Section 562.014, Line 12 of said page, by inserting after all of said line the following:

“563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual claiming a justification of using protective force under this section.

3. A person **who is not engaged in an unlawful activity** does not have a duty to retreat from [a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual] **any place he or she has a right to be.**

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 100, Section 565.032, Line 25 of said page, by inserting immediately after “578.421” the following: “;

(18) The murder was committed as an act of terrorism in that it was committed for the purpose of, or in a manner of, intimidating or coercing a civilian population, influencing the policy of a government by intimidation or coercion, or affecting the conduct of a government”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 5:**

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 81, Section 537.530, Line 18, by inserting after all of said line the following:

“537.570. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of the state of Missouri or any political subdivision thereof subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Missouri Constitution and laws of this state, or interferes or attempts to interfere, by threats, intimidation or coercion, with the exercise or enjoyment by any other person of rights secured by article I of the Missouri Constitution, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. A party injured by a violation of this section may bring a private civil action to enforce their rights under this section. The attorney general shall be authorized to bring a civil action on behalf of a party injured pursuant to this section.”; and

Further amend said bill, page 94, section 562.014, line 12, by inserting after all of said line the following:

“563.046. 1. A law enforcement officer need not retreat or desist from efforts to effect the arrest, or from efforts to prevent the escape from custody, of a person he or she reasonably believes to have committed an offense because of resistance or threatened resistance of the arrestee. In addition to the use of physical force authorized under other sections of this chapter, a law enforcement officer is, subject to the provisions of subsections 2 and 3, justified in the use of such physical force as he or she reasonably believes is immediately necessary to effect the arrest or to prevent the escape from custody.

2. The use of any physical force in making an arrest is not justified under this section unless the arrest is lawful or the law enforcement officer reasonably believes the arrest is lawful, **and the amount of physical force used was objectively reasonable in light of the totality of the particular facts and circumstances confronting the officer on the scene, without regard to the officer’s underlying intent or motivation.**

3. **In effecting an arrest or in preventing an escape from custody**, a law enforcement officer [in effecting an arrest or in preventing an escape from custody] is justified in using deadly force only:

(1) When deadly force is authorized under other sections of this chapter; or

(2) When [he or she] **the officer** reasonably believes that such use of deadly force is immediately necessary to effect the arrest **or prevent an escape from custody** and also reasonably believes that the person to be arrested:

(a) Has committed or attempted to commit a felony **offense involving the infliction or threatened infliction of serious physical injury**; or

(b) Is attempting to escape by use of a deadly weapon; or

(c) May otherwise endanger life or inflict serious physical injury **to the officer or others** unless arrested without delay.

4. The defendant shall have the burden of injecting the issue of justification under this section.

563.046. 1. A law enforcement officer need not retreat or desist from efforts to effect the arrest, or from efforts to prevent the escape from custody, of a person he reasonably believes to have committed an offense because of resistance or threatened resistance of the arrestee. In addition to the use of physical force authorized under other sections of this chapter, he is, subject to the provisions of subsections 2 and 3, justified in the use of such physical force as he reasonably believes is immediately necessary to effect the arrest or to prevent the escape from custody.

2. The use of any physical force in making an arrest is not justified under this section unless the arrest is lawful or the law enforcement officer reasonably believes the arrest is lawful, **and the amount of physical force used was objectively reasonable in light of the totality of the particular facts and circumstances confronting the officer on the scene, without regard to the officer’s underlying intent or motivation.**

3. **In effecting an arrest or in preventing an escape from custody**, a law enforcement officer [in effecting an arrest or in preventing an escape from custody] is justified in using deadly force only:

(1) When such is authorized under other sections of this chapter; or

(2) When [he] **the officer** reasonably believes that such use of deadly force is immediately necessary to effect the arrest **or prevent an escape from custody** and also reasonably believes that the person to be

arrested:

(a) Has committed or attempted to commit a felony **offense involving the infliction or threatened infliction of serious physical injury**; or

(b) Is attempting to escape by use of a deadly weapon; or

(c) May otherwise endanger life or inflict serious physical injury **to the officer or others** unless arrested without delay.

4. The defendant shall have the burden of injecting the issue of justification under this section.”; and

Further amend said bill, section B, page 209, line 13, by inserting after “632.520,” the following: “the repeal and reenactment of the first occurrence of section 563.046,”; and

Further amend said bill and page, section C, line 16, by inserting after “Section C.” the following: “Because of the need to clarify Missouri’s deadly force statute to align with supreme court precedent and”; and further amend line 18, by inserting after “citizens,” the following: “the repeal and reenactment of the second occurrence of section 563.046 of this act”; and further amend said section, line 23, by inserting after “constitution,” the following: “and the repeal and reenactment of the second occurrence of section 563.046 of this act”.

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Pages 80-81, Section 537.530, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **SB 663**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **SB 663**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that, **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Onder assumed the Chair.

Senator Pearce assumed the Chair.

Senator Onder assumed the Chair.

Senator Nasheed offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Section 115.134, Lines 6-7, by striking all of said lines and inserting in lieu thereof the following: **“electronic signature of, each person who receives state or federally-funded assistance, including, but not limited to, SNAP, TANF, MoHealthNet, LIHEAP, Blind Pension Trust Fund, or child care subsidies, and who meets the qualifications to vote set out in”**; and further amend line 19 by striking the words “secretary of state” and insert in lieu thereof the following: **“department of revenue”**.

Senator Nasheed moved that **SA 1 to SA 1**, be adopted, and requested a roll call vote be taken. She was joined in her request by Senators Curls, Keaveny, Sifton and Walsh.

SA 1 to SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Kehoe assumed the Chair.

Senator Onder assumed the Chair.

Senator Nasheed offered **SA 2 to SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Line 2, by inserting after all of said line the following:

“115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his eighteenth birthday.

2. No person who is adjudged incapacitated shall be entitled to register or vote. No person shall be entitled to vote:

(1) While confined under a sentence of imprisonment; **or**

(2) [While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or

(3)] After conviction of a felony **connected with the right of suffrage** or misdemeanor connected with the right of suffrage.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.”.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Nasheed offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“115.116. 1. As used in this section, “voter center” means a temporary voting location open only on election days in which a person can cast a ballot for any federal or statewide office or a municipal office without appearing at such person's precinct voting location.

2. Notwithstanding any other provision of law to the contrary, the board of election commissioners for any city not within a county or any home rule city with more than four hundred thousand inhabitants and located in more than one county may establish and run voter centers in addition to voter precincts on any primary, special, or general election day on which any citywide or statewide office, presidential primary, or special election is on the ballot. Voter centers shall not be authorized for any local district or political subdivision elections except for municipal elections. The number and location of voter centers may be determined by the board, which shall make a good faith effort to distribute such centers in an optimal manner throughout the city based on considerations such as geographic diversity, population density, and economic efficiency. The board may choose to allocate existing staff and resources to the voter centers in lieu of providing such support to individual precincts. The board may make use of facilities offered free of charge, such as businesses, churches, or community centers, to serve as the venue for voting centers.

3. Voting centers shall allow only for in-person voting on election day, and may make use of regular or provisional ballots for such in-person voting. Voting centers shall not accept absentee ballots if such ballots are cast before the election day. Election authorities shall make any necessary ballots available at the voter center and shall follow all rules regarding the storage and counting of ballots, including the use of provisional ballots. Voting centers shall be subject to all regulations governing elections in this chapter.

4. The secretary of state shall offer advice and assistance to any board establishing voter centers by establishing nonmandatory criteria that facilitate the operation of the voter centers. Such criteria may include a recommendation on the distribution of existing staff and resources to voter centers and recommending optimal venues for voting centers.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey offered **SA 1** to **SSA 1** for **SA 1**, which was read:

Senator Silvey offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Lines 10-11, by striking all of said lines and inserting in lieu thereof the following: “**within a county may**”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

SSA 1 for **SA 1**, as amended, was again taken up.

Senator Nasheed moved that **SSA 1** for **SA 1**, as amended, be adopted and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Keaveny, Sifton and Walsh.

SSA 1 for **SA 1**, as amended, failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

SA 1 was again taken up.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1631, Page 1, Section A, Line 3, by inserting after all of said line the following:

“115.225. 1. Before use by election authorities in this state, the secretary of state shall approve the marking devices and the automatic tabulating equipment used in electronic voting systems and may promulgate rules and regulations to implement the intent of sections 115.225 to 115.235.

2. No electronic voting system shall be approved unless it:

(1) Permits voting in absolute secrecy;

(2) Permits each voter to vote for as many candidates for each office as a voter is lawfully entitled to vote for;

(3) Permits each voter to vote for or against as many questions as a voter is lawfully entitled to vote on, and no more;

(4) Provides facilities for each voter to cast as many write-in votes for each office as a voter is lawfully entitled to cast;

(5) Permits each voter at a general election to vote for all candidates of one party by one punch or mark or to vote a split ticket, as a voter desires;

(6) Permits each voter in a primary election to vote for the candidates of only one party announced by the voter in advance;

[(6)] (7) Permits each voter at a presidential election to vote by use of a single punch or mark for the candidates of one party or group of petitioners for president, vice president and their presidential electors;

[(7)] (8) Accurately counts all proper votes cast for each candidate and for and against each question;

[(8)] (9) Is set to reject all votes, except write-in votes, for any office and on any question when the number of votes exceeds the number a voter is lawfully entitled to cast;

[(9)] (10) Permits each voter, while voting, to clearly see the ballot label;

[(10)] (11) Has been tested and is certified by an independent authority that meets the voting system standards developed by the Federal Election Commission or its successor agency. The provisions of this subdivision shall not be required for any system purchased prior to August 28, 2002.

3. The secretary of state shall promulgate rules and regulations to allow the use of a computerized voting system. The procedures shall provide for the use of a computerized voting system with the ability to provide a paper audit trail. Notwithstanding any provisions of this chapter to the contrary, such a system may allow for the storage of processed ballot materials in an electronic form.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

115.237. 1. Each ballot printed or designed for use with an electronic voting system for any election pursuant to this chapter shall contain all questions and the names of all offices and candidates certified or filed pursuant to this chapter and no other. As far as practicable, all questions and the names of all offices and candidates for which each voter is entitled to vote shall be printed on one page except for the ballot for political party committee persons in polling places not utilizing an electronic voting system which may be printed separately and in conformity with the requirements contained in this section. As far as practicable, ballots containing only questions and the names of nonpartisan offices and candidates shall be printed in accordance with the provisions of this section, except that the ballot information may be listed in vertical or horizontal rows. The names of candidates for each office shall be listed in the order in which they are filed.

2. In polling places using electronic voting systems, the ballot information may be arranged in vertical

or horizontal rows or on a number of separate pages or screens. In any event, the name of each candidate, the candidate's party, the office for which he or she is a candidate, and each question shall be indicated clearly on the ballot.

3. Nothing in this subchapter shall be construed as prohibiting the use of a separate paper ballot for questions or for the presidential preference primary in any polling place using an electronic voting system.

4. Where electronic voting systems are used and when write-in votes are authorized by law, a write-in ballot, which may be in the form of a separate paper ballot, card, or envelope, may be provided by the election authority to permit each voter to write in the names of persons whose names do not appear on the ballot.

5. [No ballot printed or designed for use with an electronic voting system for any partisan election held under this chapter shall allow a person to vote a straight political party ticket. For purposes of this subsection, a "straight political party ticket" means voting for all of the candidates for elective office who are on the ballot representing a single political party by a single selection on the ballot.

6.] The secretary of state shall promulgate rules that specify uniform standards for ballot layout for each electronic or computerized ballot counting system approved under the provisions of section 115.225 so that the ballot used with any counting system is, where possible, consistent with the intent of this section. Nothing in this section shall be construed to require the format specified in this section if it does not meet the requirements of the ballot counting system used by the election authority.

[7.] 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Kraus, **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 1713**, with **SCS** and **HCS** for **HB 2380**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 2084, regarding Eagle Scout Tucker Petersen, Kirksville, which was adopted.

Senator Pearce offered Senate Resolution No. 2085, regarding the Seventieth Wedding Anniversary of Charles and Earline Inman, Concordia, which was adopted.

Senator Pearce offered Senate Resolution No. 2086, regarding Marion Kimbrough, Norborne, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2087, regarding Power Process & Industrial, LLC, Marceline, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Missouri University of Science and Technology Football Coaches Kyle Shoemaker, Tyler Fenwick and Mike McFarland, Rolla.

Senator Schmitt introduced to the Senate, students from Twin Oaks Christian School, Ballwin.

Senator Riddle introduced to the Senate, Taylor Laughlin, Mokane.

Senator Kehoe introduced to the Senate, representatives of the Missouri Academy of Nutrition and Dietetics.

Senator Kraus introduced to the Senate, fourth grade students from Pleasant Lea Elementary School, Lee's Summit.

Senator Pearce introduced to the Senate, Mike and Edwina Moon and Jim Kilmer, Johnson County.

Senator Curls introduced to the Senate, Alex Curchin, Joplin; and Alex was made an honorary page.

Senator Curls introduced to the Senate, representatives of reStart, Inc., Kansas City.

Senator Brown introduced to the Senate, his wife, Kathy, their grandson, Tristin Brown, and Taylor Bell, Rolla.

Senator Brown introduced to the Senate, his son Justin, and Carl Swaters, Rolla.

Senator Pearce introduced to the Senate, teachers Mrs. Mittenburg, Ms. Matthews, Mrs. Pierce, Mrs. Allcorn, Mrs. Beile, Mr. Palmer, and fourth grade students from Martin Warren Elementary School, Warrensburg.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTIETH DAY—THURSDAY, APRIL 28, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Flanigan
HCS for HB 2496

HCS for HB 1448
HB 2028-Hoskins

HB 1852-Rowland
 HB 2065-Berry
 HB 2093-Chipman
 HCS for HB 1928
 HB 2237-Rowden
 HCS for HB 2345
 HB 1585-Hill
 HCS for HB 1955

HB 1969-Anderson
 HCS for HB 2057
 HCS for HB 1561
 HCS for HB 1679
 HB 1468-Burlison
 HB 1754-Bahr
 HB 1867-Fitzpatrick

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and Curls
 (In Fiscal Oversight)
 SCS for SB 998-Romine (In Fiscal Oversight)
 SCS for SBs 857 & 712-Romine
 (In Fiscal Oversight)

SB 884-Munzlinger
 SCS for SB 613-Cunningham, et al
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
 SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
 (In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
 (Schaefer) (In Fiscal Oversight)
3. HB 1565-Engler (Romine)
 (In Fiscal Oversight)
4. HCS for HB 1696, with SCS (Riddle)
 (In Fiscal Oversight)
5. HB 1892-Rehder (Schatz)
 (In Fiscal Oversight)
6. HB 1643-Hicks (Brown)
7. HB 2104-Alferman, with SCS (Schmitt)

8. HCS for HB 1675, with SCS (Munzlinger)
9. HCS for HB 2381 (Munzlinger)
10. HB 1577-Higdon, with SCS (Riddle)
11. HCS for HB 1433, with SCS (Sater)
12. HCS for HB 1930 (Riddle)
13. HCS for HB 2202, with SCS (Dixon)
14. HCS for HB 2376, with SCS (Wasson)
15. HCS for HB 1713, with SCS (Emery)
 (In Fiscal Oversight)
16. HCS for HB 1898
17. HCS for HB 2380, with SCS (Schatz)
 (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending)	SB 871-Wallingford
SB 580-Schaaf, with SCS & SA 2 (pending)	SB 883-Riddle
SB 596-Kraus, with SCS	SB 894-Munzlinger, with SS (pending)
SB 622-Romine, with SCS	SB 896-Hegeman
SB 644-Onder, with SCS	SB 898-Cunningham
SBs 662 & 587-Dixon, with SCS	SB 908-Sater, with SCS
SB 680-Emery	SB 916-Schaefer
SB 686-Wallingford, with SCS	SB 920-Schmitt and Kraus
SB 706-Dixon	SB 951-Wasson, with SA 1 (pending)
SB 719-Emery, with SCS	SB 964-Wallingford, with SCS (pending)
SB 733-Dixon	SB 966-Schaaf
SB 734-Dixon	SB 972-Silvey
SB 771-Onder	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 772-Onder, with SCS	SB 995-Riddle
SB 774-Schmitt	SB 1003-Onder
SB 775-Schaefer	SB 1004-Onder
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)	SB 1005-Walsh
SB 788-Schatz, with SCS & SS for SCS (pending)	SBs 1010, 958 & 878-Curls, with SCS
SBs 789 & 595-Wasson, with SCS	SB 1012-Dixon
SB 792-Richard	SB 1014-Dixon
SB 793-Richard	SB 1026-Schatz, with SCS
SB 798-Kraus, with SCS	SB 1028-Silvey, et al, with SCS
SB 802-Sater	SB 1033-Pearce
SB 805-Onder, with SCS	SB 1066-Curls
SB 806-Onder, with SCS	SB 1074-Schmitt, with SCS
SB 812-Keaveny	SB 1075-Wallingford
SB 816-Wieland, et al	SB 1085-Pearce
SB 825-Munzlinger, with SA 1 (pending)	SB 1091-Riddle
SB 830-Wasson, with SCS	SB 1094-Kehoe, with SCS
SB 848-Emery, with SCS	SB 1096-Dixon and Keaveny, with SS (pending)
SBs 851 & 694-Brown, with SCS	SB 1117-Wasson, with SCS
SB 853-Brown	SB 1120-Hegeman, et al
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1131-Sifton
SB 868-Wasson	SB 1144-Brown
	SJR 23-Sater, with SS (pending)
	SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1452-Hoskins, with SCS (Pearce)
 HB 1472-Dugger (Dixon)
 HB 1479-Entlicher (Romine)
 HB 1530-Brown (57) (Munzlinger)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 2 (pending) (Kraus)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1717 (Wallingford)
 HCS for HB 1729 (Munzlinger)
 SS for HB 1733-Davis (Kraus)
 (In Fiscal Oversight)
 HB 1745-Brattin, with SCS (Schatz)

HCS for HBs 1780 & 1420 (Pearce)
 HB 1795-Haefner, with SCS (Sater)
 HCS for HB 1804, with SCS (Emery)
 HCS for HB 1850 (Wasson)
 HCS for HB 1904, with SCS (Wallingford)
 HB 2166-Alferman, with SCS, SS#2 for SCS,
 SA 1 & SSA 1 for SA 1 (pending) (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HB 2226-Barnes (Silvey)
 HB 2230-Ross (Schatz)
 HCS for HBs 2234 & 1985 (Pearce)
 HB 2257-Jones, with SCS (Wieland)
 HCS for HB 2332, with SCS (Dixon)
 HCS for HB 2397 (Romine)
 HB 2429-Dohrman, with SCS (Parson)
 HB 2590-Plocher, with SCS (Keaveny)
 HCS for HB 2689 (Silvey)
 HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
 HB 2428-Swan (Pearce)
 HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)
 HB 1559-McCann Beatty (Curls)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)

HB 1473-Dugger, with SCS (Wasson)
 HCS for HB 1480 (Hegeman)
 HB 1388-Roeber (Dixon)
 HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 657-Munzlinger, with
 HCS, as amended

SB 700-Schatz, with HA 1, as amended &
 HA 2

SCS for SB 814-Wallingford, et al, with HCS

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

SS for SB 621-Romine, with HCS, as
amended

Requests to Recede or Grant Conference

SB 607-Sater, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 639-Riddle, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 677-Sater, with HCS, as amended
(Senate requests House recede or
grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTIETH DAY—THURSDAY, APRIL 28, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord has done great things for us, and we rejoice.” (Psalm 126:3)

Lord God, in our world how wonderful it is to focus on the rich legacy that You have provided from Your creative hand. Help us appreciate all we see in our travels this day and give You thanks and praise. Be with us in our drive home and bring us safely home to spend time with those You have given us to love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS SB 591**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 732**, entitled:

An Act to repeal sections 43.545, 44.010, 44.032, 84.720, 190.102, 190.103, 190.165, 190.241, 192.737, 192.2400, 192.2405, 311.735, 455.543, 455.545, 590.040, 610.026, and 610.100, RSMo, and section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, and section 565.188 as enacted by senate bill nos. 556 & 311, ninety-second general assembly, first regular session, and to enact in lieu thereof twenty-four new sections relating to public safety, with penalty provisions.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment Nos. 7, 8, 9, 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11 as amended, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment No. 1 to House Amendment No. 13, and House Amendment No. 13 as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 5, Section 44.032, Line 89, by inserting after all of said section and line the following:

“67.145. **1.** No political subdivision of this state shall prohibit any first responder[, as the term first responder is defined in section 192.800,] from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.

2. As used in this section, “first responder” means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses, or physicians.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2**

Amend House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Bill

No. 732, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

“Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 26, Section 192.2475, Line 119, by inserting after all of said section and line the following:

“287.245. 1. As used in this section, the following terms shall mean:

(1) “Association”, volunteer fire protection associations as defined in section 320.300;

(2) “State fire marshal”, the state fire marshal selected under the provisions of sections 320.200 to 320.270;

(3) “Volunteer firefighter”, the same meaning as in section 287.243.

2. Any association may apply to the state fire marshal for a grant for the purpose of funding such association’s costs related to workers’ compensation insurance premiums for volunteer firefighters.

3. Subject to appropriations, the state fire marshal shall disburse grants to each applying volunteer fire protection association according to the following schedule:

(1) Associations which had zero to five volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for two thousand dollars in grant money;

(2) Associations which had six to ten volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for one thousand five hundred dollars in grant money;

(3) Associations which had eleven to fifteen volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for one thousand dollars in grant money;

(4) Associations which had sixteen to twenty volunteer firefighters receive workers’ compensation benefits from claims arising out of and in the course of the prevention or control of fire or the underwater recovery of drowning victims in the preceding calendar year shall be eligible for five hundred dollars in grant money.

4. Grant money disbursed under this section shall only be used for the purpose of paying for the workers’ compensation insurance premiums of volunteer firefighters.”; and

Further amend said bill, Page 28, Section 565.188, Line 27, by inserting after all of said section and line the following:

“575.145. 1. It shall be the duty of the operator or driver of any vehicle or any other conveyance regardless of means of propulsion, or the rider of any animal traveling on the highways of this state to stop on signal of any law enforcement officer or firefighter and to obey any other reasonable signal or direction

of such law enforcement officer **or firefighter** given in directing the movement of traffic on the highways or enforcing any offense or infraction.

2. The offense of willfully failing or refusing to obey such signals or directions or willfully resisting or opposing a law enforcement officer **or a firefighter** in the proper discharge of his or her duties is a class A misdemeanor.

575.145. It shall be the duty of the operator or driver of any vehicle or the rider of any animal traveling on the highways of this state to stop on signal of any sheriff [or], deputy sheriff, **or firefighter** and to obey any other reasonable signal or direction of such sheriff [or], deputy sheriff, **or firefighter** given in directing the movement of traffic on the highways. Any person who willfully fails or refuses to obey such signals or directions or who willfully resists or opposes a sheriff [or], deputy sheriff, **or firefighter** in the proper discharge of his or her duties shall be guilty of a class A misdemeanor and on conviction thereof shall be punished as provided by law for such offenses.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 28, Section 565.188, Line 27, by inserting after all of said section and line the following:

“575.145. 1. It shall be the duty of the operator or driver of any vehicle or any other conveyance regardless of means of propulsion, or the rider of any animal traveling on the highways of this state to stop on signal of any law enforcement officer **or firefighter** and to obey any other reasonable signal or direction of such law enforcement officer **or firefighter** given in directing the movement of traffic on the highways or enforcing any offense or infraction.

2. The offense of willfully failing or refusing to obey such signals or directions or willfully resisting or opposing a law enforcement officer **or a firefighter** in the proper discharge of his or her duties is a class A misdemeanor.

575.145. It shall be the duty of the operator or driver of any vehicle or the rider of any animal traveling on the highways of this state to stop on signal of any sheriff [or], deputy sheriff, **or firefighter** and to obey any other reasonable signal or direction of such sheriff [or], deputy sheriff, **or firefighter** given in directing the movement of traffic on the highways. Any person who willfully fails or refuses to obey such signals or directions or who willfully resists or opposes a sheriff [or], deputy sheriff, **or firefighter** in the proper discharge of his or her duties shall be guilty of a class A misdemeanor and on conviction thereof shall be punished as provided by law for such offenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 28, Section 590.040, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following:

“a political subdivision in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants shall have a minimum of one thousand hours of basic training at a”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 2, Line 3, by inserting after all of said line the following:

“Further amend said bill, Page 26, Section 192.2475, Line 119, by inserting after all of said section and line the following:

“208.1030. 1. An eligible provider, as described in subsection 2 of this section, may, in addition to the rate of payment that the provider would otherwise receive for Medicaid ground emergency medical transportation services, receive MO HealthNet supplemental reimbursement to the extent provided by law.

2. A provider shall be eligible for Medicaid supplemental reimbursement if the provider meets the following characteristics during the state reporting period:

- (1) Provides ground emergency medical transportation services to MO HealthNet participants;**
- (2) Is enrolled as a MO HealthNet provider for the period being claimed; and**
- (3) Is owned, operated, or contracted by the state or a political subdivision.**

3. An eligible provider’s Medicaid supplemental reimbursement under this section shall be calculated and paid as follows:

(1) The supplemental reimbursement to an eligible provider, as described in subsection 2 of this section, shall be equal to the amount of federal financial participation received as a result of the claims submitted under subdivision (2) of subsection 6 of this section;

(2) In no instance shall the amount certified under subdivision (1) of subsection 5 of this section, when combined with the amount received from all other sources of reimbursement from the MO HealthNet program, exceed one hundred percent of actual costs, as determined under the Medicaid state plan for ground emergency medical transportation services; and

(3) The supplemental Medicaid reimbursement provided by this section shall be distributed exclusively to eligible providers under a payment methodology based on ground emergency medical transportation services provided to MO HealthNet participants by eligible providers on a per-transport basis or other federally permissible basis. The department of social services shall obtain approval from the Centers for Medicare and Medicaid Services for the payment methodology to be utilized and shall not make any payment under this section prior to obtaining that approval.

4. An eligible provider, as a condition of receiving supplemental reimbursement under this section, shall enter into and maintain an agreement with the department’s designee for the purposes of implementing this section and reimbursing the department of social services for the costs of administering this section. The non-federal share of the supplemental reimbursement submitted to the Centers for Medicare and Medicaid Services for purposes of claiming federal financial participation shall be paid with funds from the governmental entities described in subdivision (3) of subsection 2 of this section and certified to the state as provided in subsection 5 of this section.

5. Participation in the program by an eligible provider described in this section is voluntary. If an applicable governmental entity elects to seek supplemental reimbursement under this section on behalf of an eligible provider owned or operated by the entity, as described in subdivision (3) of subsection 2 of this section, the governmental entity shall do the following:

(1) Certify in conformity with the requirements of 42 CFR 433.51 that the claimed expenditures for the ground emergency medical transportation services are eligible for federal financial participation;

(2) Provide evidence supporting the certification as specified by the department of social services;

(3) Submit data as specified by the department of social services to determine the appropriate amounts to claim as expenditures qualifying for federal financial participation; and

(4) Keep, maintain, and have readily retrievable any records specified by the department of social services to fully disclose reimbursement amounts to which the eligible provider is entitled and any other records required by the Centers for Medicare and Medicaid Services.

6. The department of social services shall be authorized to seek any necessary federal approvals for the implementation of this section. The department may limit the program to those costs that are allowable expenditures under Title XIX of the Social Security Act, 42 U.S.C. Section 1396, et seq.

(1) The department of social services shall submit claims for federal financial participation for the expenditures for the services described in subsection 5 of this section that are allowable expenditures under federal law.

(2) The department of social services shall, on an annual basis, submit any necessary materials to the federal government to provide assurances that claims for federal financial participation shall include only those expenditures that are allowable under federal law.

208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced EMT, EMT intermediate, or paramedic levels in the pre-stabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

(1) Provides ground emergency medical transport services to MO HealthNet managed care participants pursuant to a contract or other arrangement with MO HealthNet or a MO HealthNet managed care plan; and

(2) Is owned, operated, or contracted by the state or a political subdivision.

3. To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to

applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(1) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(2) Except as provided in subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(3) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and pre-stabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 8, Section 190.103, Line 30, by inserting after all of said section and line the following:

“190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician’s license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements. **Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services;**

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of

rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 3, Section 44.010, Line 43, by inserting after all of said section and line the following:

“44.023. 1. The Missouri state emergency management agency shall establish and administer an emergency volunteer program to be activated in the event of a disaster whereby volunteer architects, [and professional] engineers [registered] **licensed** under chapter 327, **any individual including, but not limited to, building officials and building inspectors employed by local governments, qualified by training and experience, who has been certified by the state emergency management agency, and who performs his or her duties under the direction of an architect or engineer licensed under chapter 327,** and construction contractors, equipment dealers and other owners and operators of construction equipment may volunteer the use of their services and equipment, either manned or unmanned, for up to [three] **five consecutive days for in-state deployments** as requested and needed by the state emergency management agency.

2. In the event of a disaster, the enrolled volunteers shall, where needed, assist local jurisdictions and local building inspectors to provide essential demolition, cleanup or other related services and to determine whether [buildings] **structures** affected by a disaster:

(1) Have not sustained serious damage and may be occupied;

(2) Must be [vacated temporarily] **restricted in their use** pending repairs; or

(3) [Must be demolished in order to avoid hazards to occupants or other persons] **Are unsafe and shall not be occupied pending repair or demolition.**

3. Any person when utilized as a volunteer under the emergency volunteer program shall have his **or her** incidental expenses paid by the local jurisdiction for which the volunteer service is provided. **Enrolled volunteers under the emergency volunteer program shall be provided workers’ compensation insurance by the state emergency management agency during their official duties as authorized by the state emergency management agency.**

4. **Emergency volunteers who are certified by the state emergency management agency shall be considered employees of the state for purposes of the emergency mutual aid compact under section 44.415 and shall be eligible for out-of-state deployments in accordance with such section.**

5. Architects, [and professional] engineers, **individuals including, but not limited to, building officials and building inspectors employed by local governments, qualified by training and experience, who have been certified by the state emergency management agency, and who perform their duties under the direction of an architect or engineer licensed under chapter 327,** construction contractors, equipment dealers and other owners and operators of construction equipment and the companies with which they are employed, working under the emergency volunteer program, shall not be personally liable either jointly or separately for any act or acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.

[5.] **6.** Any individuals, employers, partnerships, corporations or proprietorships, that are working under the emergency volunteer program providing demolition, cleanup, removal or other related services, shall not be liable for any acts committed in the performance of their official duties as emergency volunteers except in the case of willful misconduct or gross negligence.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 1, Line 2, by inserting immediately after said line the following:

“Further amend said bill, Page 34, Section 610.100, Line 140, by inserting immediately after said line the following:

“610.205. 1. Crime scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene, which depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person’s genitalia are exposed, shall be considered closed records and shall not be subject to disclosure under the provisions of this chapter; provided, however, that this section shall not prohibit disclosure of such material to the deceased’s next of kin or to an individual who has secured a written release from the next of kin. It shall be the responsibility of the next of kin to show proof of the familial relationship. For purposes of such access, the deceased’s next of kin shall be:

- (1) The spouse of the deceased if living;**
- (2) If there is no living spouse of the deceased, an adult child of the deceased; or**
- (3) If there is no living spouse or adult child, a parent of the deceased.**

2. Subject to the provisions of subsection 3 of this section, in the case of closed criminal investigations a circuit court judge may order the disclosure of such photographs or video recordings upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person’s next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family’s right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person’s next of kin at least two weeks’ notice. No court shall order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement.

4. The provisions of this section shall apply to all undisclosed material which is in the custody of

a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a convicted defendant in a habeas corpus action, on a motion for new trial, or in a federal habeas corpus action under 28 U.S.C. Section 2254 or 2255 for the purpose of preparing to file or litigating such proceedings. Counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection.

6. The director of the department of public safety shall promulgate rules and regulations governing the viewing of materials described in subsection 1 of this section by bona fide credentialed members of the press.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Pages 29-30, Section 610.026, Lines 1-46, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 16, Section 190.260, Line 30, by inserting after all of said section and line the following:

“192.500. 1. For purposes of this section, the following terms shall mean:

(1) “Cone beam computed tomography system”, a medical imaging device using x-ray computed tomography to capture data using a cone-shaped x-ray beam;

(2) “Panoramic x-ray system”, an imaging device that captures the entire mouth in a single, two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and tissues.

2. Cone beam computed tomography systems and panoramic x-ray systems shall not be required to be inspected more frequently than every six years.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 5, Section 44.032, Line 89, by inserting immediately after all of said section and line the following:

“70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and

agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, [and] any board of control of an art museum, **the board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 6, Section 84.720, Line 16, by inserting after all of said section and line the following:

“94.902. 1. The governing [body] **bodies of the following cities may impose a tax as provided in this section:**

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants[, or] ;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants[, or] ;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants[.] ;

(4) **Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants; or**

(5) **Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.**

2. The governing body of any city listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

[2.] **3.** The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of (city’s name) impose a citywide sales tax at a rate of (insert rate of percent) percent for the purpose of improving the public safety of the city?

[] YES

[] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

[3.] 4. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[4.] 5. The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

[5.] 6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The

ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

[6.] 7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

[7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 1, In the Title, Line 9, by inserting immediately after the word “provisions” the words “and an emergency clause for a certain section”; and

Further amend said bill, Page 15, Section 190.241, Line 118, by inserting after the number “8.” the following:

“The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.

9.”; and

Further amend said bill, page, and section, Line 120, by deleting the number “9.” and inserting in lieu thereof the number “10.”; and

Further amend said bill and section, Page 5, Line 123, by deleting the number “10.” and inserting in lieu thereof the number “11.”; and

Further amend said bill, Page 16, Section 190.260, Line 30, by inserting after all of said section and line the following:

“190.265. 1. In order to ensure that the skids of a helicopter do not get caught in a fence or other barriers and cause a potentially catastrophic outcome, any rules and regulations promulgated by the department of health and senior services pursuant to sections 190.185, 190.214, and 192.006, chapter 197, or any other provision of Missouri law shall not require hospitals to have a fence, or other barriers, around such hospital’s helipad. Any regulation requiring fencing, or other barriers, or any interpretation of such regulation shall be null and void.

2. In addition to the prohibition in subsection 1 of this section, the department shall not promulgate any rules and regulations with respect to the operation or construction of a helipad located at a hospital.

3. Hospitals shall ensure that helipads are free of obstruction and safe for use by a helicopter while on the ground, during approach, and takeoff.

4. As used in this section, the term “hospital” shall have the same meaning as in section 197.020.”;
and

Further amend said bill, Page 34, Section 610.100, Line 140, by inserting after all of said section and line the following:

“Section B. Because immediate action may prevent a tragic occurrence from happening, section 190.265 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 190.265 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 3, Line 6, by inserting after all of said line the following:

“302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person’s driver’s license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, except as provided in section 302.441. These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person’s

vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns an entity that owns an employer-owned vehicle.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 5, Section 44.032, Line 89, by inserting immediately after said line the following:

“67.281. 1. A builder of one- or two-family dwellings or townhouses shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser’s cost, to install or equip fire sprinklers in the dwelling or townhouse. Notwithstanding any other provision of law to the contrary, no purchaser of such a one- or two-family dwelling or townhouse shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or townhouse being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to purchase fire sprinklers in connection with the purchase of any one- or two-family dwelling or townhouse. [The provisions of this section shall expire on December 31, 2024.]

2. Any governing body of any political subdivision that adopts the 2009 International Residential Code for One- and Two-Family Dwellings or a subsequent edition of such code without mandated automatic fire sprinkler systems in Section R313 of such code shall retain the language in section R317 of the 2006 International Residential Code for two-family dwellings (R317.1) and townhouses (R317.2). “; and

Further amend said bill, Page 26, Section 192.2475, Line 119, by inserting immediately after said line the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation **or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation** displaying lighted amber [or] , amber and white lights, **or red and blue lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An “emergency vehicle” is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee’s official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

- (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
- (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
- (d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.

307.175. **1.** Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022 while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies.

2. Motor vehicles and equipment owned by the state highways and transportation commission or contractor or subcontractor performing work for the department of transportation may use or display thereon fixed, flashing, or rotating red or blue lights, but red or blue lights shall be used only while such vehicle is stationary in a work zone, as defined in section 304.580, when highway workers, as defined in section 304.580, are present.

3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, [or] rescue squad, **or the state highways and transportation commission** and no person shall use or display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section constitutes a class A misdemeanor. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 1, Line 20, by inserting immediately after all of said line the following:

“Further amend said bill, Page 26, Section 192.2475, Line 119, by inserting immediately after all of said line the following:

“321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

4. This section shall not apply to any fire protection district to which section 72.418 applies.”; and

Further amend said bill, Page 27, Section 455.545, Line 4, by inserting immediately after all of said line the following:

“527.130. The word “person”, wherever used in sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society, **fire protection district**, or municipal or other corporation of any character whatsoever.”; and

Further amend said bill, Page 34, Section 610.100, Line 140, by inserting immediately after all of said line the following:

“Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect upon its passage and approval.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 16, Section 190.260, Line 30, by inserting after all of said section and line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching

of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as “emergency services”, and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants **or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants**, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee. (3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 13

Amend House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 2, Line 14, by inserting after all of said line the following:

“321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and** voter of the district **for** at least one year before the election or appointment and be over the age of [twenty-five] **twenty-four** years[; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district]. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a candidate for county office as set forth under section 115.357**, and filing a statement under oath that such person possesses the required qualifications.

[2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such candidate shall have the candidate's name placed

on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar years from the date of the election of the first board of directors, and on the first Tuesday in April every two years thereafter, an election for members of the board of directors shall be held in the district. Nominations shall be filed at the headquarters of the fire protection district in which a majority of the district is located by paying a filing fee [up] **equal** to the amount of a candidate for [state representative] **county office** as set forth under section 115.357 and filing a statement under oath that [he] **the candidate** possesses the required qualifications. The candidate receiving the most votes shall be elected. Any new member of the board shall qualify in the same manner as the members of the first board qualify.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 732, Page 6, Section 173.2050, Line 22, by inserting after all of said section and line the following:

“190.055. 1. The board of directors of a district shall possess and exercise all of its legislative and executive powers. Within thirty days after the election of the initial directors, the board shall meet. The time and place of the first meeting of the board shall be designated by the county commission. At its first meeting and after each election of new board members the board shall elect a chairman from its members and select a secretary, treasurer and such officers or employees as it deems expedient or necessary for the accomplishment of its corporate objectives. The secretary and treasurer need not be members of the board. At the meeting the board, by ordinance, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal and bylaws, which shall determine the times for the annual election of officers and of other regular and special meetings of the board and shall contain the rules for the transaction of other business of the district and for amending the bylaws.

2. Each board member of any district shall devote such time to the duties of the office as the faithful discharge thereof may require, including educational programs provided by the state and each board member may be reimbursed for actual expenditures in the performance of his or her duties on behalf of the district.

3. The secretary and treasurer, if members of the board of directors, may each receive additional compensation for the performance of their duties as secretary or treasurer as the board shall deem reasonable and necessary; provided that, such additional compensation shall not exceed one thousand dollars per year.

4. Each board member may receive an attendance fee not to exceed one hundred dollars for attending each regularly or specially called board meeting. Such member shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification having a charter form of government, such member shall not be paid for attending more than four such meetings in any calendar month. In addition, the chairman of the board may receive fifty dollars for attending each regularly or specially called board meeting, but such chairman shall not be paid the additional fee for attending more than two meetings in any calendar month.

5. The compensation authorized by subsections 3 and 4 of this section shall only apply:

(1) If such compensation is approved by the board of such district; and

(2) To any elected term of any board member beginning after August 28, 2000.

6. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.”; and

Further amend said bill, Page 26, Section 311.735, Line 14, by inserting after all of said section and line the following:

“321.017. **1.** Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board.

2. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 639**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 607**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 677**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SA 1**, **SA 3**, **SA 4**, and **SA 5** to **HB 1870** and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 607**, as amended. Representatives: Haefner, Franklin, Wood, McCreery, Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 639**, as amended. Representatives: Walker, Leara, Fitzwater (144), Colona, Anders.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 677**, as amended. Representatives: Franklin, Entlicher, Lynch, Kirkton, Arthur.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 624**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 608**, entitled:

An Act to amend chapters 197 and 208, RSMo, by adding thereto four new sections relating to health care.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, House Amendment No. 1 to House Amendment No. 13, House Amendment No. 13, as amended, House Amendment Nos. 14 and 15.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Line 3, by inserting immediately after said line the following:

“376.1235. 1. No health carrier or health benefit plan, as defined in section 376.1350, shall impose a co-payment or coinsurance percentage charged to the insured for services rendered for each date of service by a physical therapist licensed under chapter 334 **or an occupational therapist licensed under chapter 324**, for services that require a prescription, that is greater than the co-payment or coinsurance percentage charged to the insured for the services of a primary care physician licensed under chapter 334 for an office visit.

2. A health carrier or health benefit plan shall clearly state the availability of physical therapy **and occupational therapy** coverage under its plan and all related limitations, conditions, and exclusions.

3. Beginning September 1, [2013] **2016**, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if the provisions of this section **regarding occupational therapy coverage** were enacted. By December 31, [2013,] **2016**, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker, the president pro tem, and the chairpersons of both the house of representatives and senate standing committees having jurisdiction over health insurance matters. If the fiscal note cost

estimation is less than the cost of an actuarial analysis, the actuarial analysis requirement shall be waived.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.

2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.

3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:

(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or

(2) The hospital has used other standards that provide for equivalent design criteria.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“536.031. 1. There is established a publication to be known as the “Code of State Regulations”, which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.

2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect

upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general's opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.

3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written format upon request.

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“192.2490. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

- (4) Whether the person has previously been listed on the employee disqualification list;
- (5) Any mitigating circumstances;
- (6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

- (1) Is licensed as an operator under chapter 198;
- (2) Provides in-home services under contract with the department of social services or its divisions;
- (3) Employs [nurses and nursing assistants] **health care providers as defined in section 376.1350** for temporary or intermittent placement in health care facilities;
- (4) Is approved by the department to issue certificates for nursing assistants training;
- (5) Is an entity licensed under chapter 197;
- (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or
- (7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in [subdivisions (1), (2), (5), or (6) of] this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in [subdivisions (1), (2), (5), or (6) of] this subsection when the entity is fulfilling its duties required under this section.

The information shall be disclosed only to the requesting entity. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the

employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 192.2400 required to deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 192.2495;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 192.2495, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 192.2495.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal.

192.2495. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:

(1) Is licensed as an operator pursuant to chapter 198;

(2) Provides in-home services under contract with the department of social services or its divisions;

(3) Employs [nurses or nursing assistants] **health care providers as defined in section 376.1350** for temporary or intermittent placement in health care facilities;

(4) Is an entity licensed pursuant to chapter 197;

(5) Is a public or private facility, day program, residential facility or specialized service operated, funded

or licensed by the department of mental health; or

(6) Is a licensed adult day care provider.

2. For the purpose of this section “patient or resident” has the same meaning as such term is defined in section 43.540.

3. Prior to allowing any person who has been hired as a full-time, part-time or temporary position to have contact with any patient or resident the provider shall, or in the case of temporary employees hired through or contracted for an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a criminal background check as provided in section 43.540. Completion of an inquiry to the highway patrol for criminal records that are available for disclosure to a provider for the purpose of conducting an employee criminal records background check shall be deemed to fulfill the provider’s duty to conduct employee criminal background checks pursuant to this section; except that, completing the inquiries pursuant to this subsection shall not be construed to exempt a provider from further inquiry pursuant to common law requirements governing due diligence. If an applicant has not resided in this state for five consecutive years prior to the date of his or her application for employment, the provider shall request a nationwide check for the purpose of determining if the applicant has a prior criminal history in other states. The fingerprint cards and any required fees shall be sent to the highway patrol’s central repository. The first set of fingerprints shall be used for searching the state repository of criminal history information. If no identification is made, the second set of fingerprints shall be forwarded to the Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal history files. The patrol shall notify the submitting state agency of any criminal history information or lack of criminal history information discovered on the individual. The provisions relating to applicants for employment who have not resided in this state for five consecutive years shall apply only to persons who have no employment history with a licensed Missouri facility during that five-year period. Notwithstanding the provisions of section 610.120, all records related to any criminal history information discovered shall be accessible and available to the provider making the record request; and

(2) Make an inquiry to the department of health and senior services whether the person is listed on the employee disqualification list as provided in section 192.2490.

4. When the provider requests a criminal background check pursuant to section 43.540, the requesting entity may require that the applicant reimburse the provider for the cost of such record check. When a provider requests a nationwide criminal background check pursuant to subdivision (1) of subsection 3 of this section, the total cost to the provider of any background check required pursuant to this section shall not exceed five dollars which shall be paid to the state. State funding and the obligation of a provider to obtain a nationwide criminal background check shall be subject to the availability of appropriations.

5. An applicant for a position to have contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540 so the provider may request a criminal records review;

(2) Disclose the applicant’s criminal history. For the purposes of this subdivision “criminal history” includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or

parole; [and]

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 192.2490; **and**

(4) Disclose if the applicant is listed on any of the background checks in the family care safety registry established under section 210.903. A provider not otherwise prohibited from employing an individual listed on such background checks may deny employment to an individual listed on any of the background checks in such registry.

6. An applicant who knowingly fails to disclose his or her criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider knowingly hires or retains a person to have contact with patients or residents and the person has been found guilty in this state or any other state or has been found guilty of a crime, which if committed in Missouri would be a class A or B felony violation of chapter 565, 566 or 569, or any violation of subsection 3 of section 198.070 or section 568.020.

7. Any in-home services provider agency or home health agency shall be guilty of a class A misdemeanor if such agency knowingly employs a person to provide in-home services or home health services to any in-home services client or home health patient and such person either refuses to register with the family care safety registry or is listed on any of the background check lists in the family care safety registry pursuant to sections 210.900 to 210.937.

8. The highway patrol shall examine whether protocols can be developed to allow a provider to request a statewide fingerprint criminal records review check through local law enforcement agencies.

9. A provider may use a private investigatory agency rather than the highway patrol to do a criminal history records review check, and alternatively, the applicant pays the private investigatory agency such fees as the provider and such agency shall agree.

10. Except for the hiring restriction based on the department of health and senior services employee disqualification list established pursuant to section 192.2490, the department of health and senior services shall promulgate rules and regulations to waive the hiring restrictions pursuant to this section for good cause. For purposes of this section, “good cause” means the department has made a determination by examining the employee’s prior work history and other relevant factors that such employee does not present a risk to the health or safety of residents.

195.430. 1. There is hereby established in the state treasury the “Controlled Substance Abuse Prevention Fund”, which shall consist of all fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. All fees authorized to be charged by the department shall be transmitted to the department of revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and to prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.

195.435. The bureau of narcotics and dangerous drugs shall employ no less than one investigator for every two thousand five hundred controlled substance registrants.”; and

Further amend said bill, Page 4, Section 208.800, Line 3, by inserting immediately after all of said section and line the following:

“335.360. 1. The party states find that:

(1) The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;

(2) Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;

(3) The expanded mobility of nurses and the use of advanced communication technologies as part of our nation’s health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;

(4) New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;

(5) The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states; and

(6) Uniformity of nurse licensure requirements throughout the states promotes public safety and public health benefits.

2. The general purposes of this compact are to:

(1) Facilitate the states’ responsibility to protect the public’s health and safety;

(2) Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;

(3) Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions;

(4) Promote compliance with the laws governing the practice of nursing in each jurisdiction;

(5) Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;

(6) Decrease redundancies in the consideration and issuance of nurse licenses; and

(7) Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

335.365. As used in this compact, the following terms shall mean:

(1) “Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state’s laws which is imposed by a licensing board or other authority against a nurse, including actions against an individual’s license or multistate licensure privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee’s practice, or any other encumbrance on licensure affecting a nurse’s authorization to practice, including issuance of a cease and desist action;

(2) “Alternative program”, a nondisciplinary monitoring program approved by a licensing board;

(3) “Coordinated licensure information system”, an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards;

(4) “Current significant investigative information”:

(a) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

(b) Investigative information that indicates that the nurse represents an immediate threat to public health and safety, regardless of whether the nurse has been notified and had an opportunity to respond;

(5) “Encumbrance”, a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board;

(6) “Home state”, the party state which is the nurse’s primary state of residence;

(7) “Licensing board”, a party state’s regulatory body responsible for issuing nurse licenses;

(8) “Multistate license”, a license to practice as a registered nurse, “RN”, or a licensed practical or vocational nurse, “LPN” or “VN”, issued by a home state licensing board that authorizes the licensed nurse to practice in all party states under a multistate licensure privilege;

(9) “Multistate licensure privilege”, a legal authorization associated with a multistate license permitting the practice of nursing as either an RN, LPN, or VN in a remote state;

(10) “Nurse”, an RN, LPN, or VN, as those terms are defined by each party state’s practice laws;

(11) “Party state”, any state that has adopted this compact;

(12) “Remote state”, a party state, other than the home state;

(13) “Single-state license”, a nurse license issued by a party state that authorizes practice only within the issuing state and does not include a multistate licensure privilege to practice in any other party state;

(14) “State”, a state, territory, or possession of the United States and the District of Columbia;

(15) “State practice laws”, a party state’s laws, rules, and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. State practice laws do not include requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

335.370. 1. A multistate license to practice registered or licensed practical or vocational nursing issued by a home state to a resident in that state shall be recognized by each party state as authorizing a nurse to practice as a registered nurse, “RN”, or as a licensed practical or vocational nurse, “LPN” or “VN”, under a multistate licensure privilege, in each party state.

2. A state must implement procedures for considering the criminal history records of applicants for initial multistate license or licensure by endorsement. Such procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state’s criminal records.

3. Each party state shall require the following for an applicant to obtain or retain a multistate license in the home state:

(1) Meets the home state’s qualifications for licensure or renewal of licensure as well as all other applicable state laws;

(2) (a) Has graduated or is eligible to graduate from a licensing board-approved RN or LPN or VN prelicensure education program; or

(b) Has graduated from a foreign RN or LPN or VN prelicensure education program that has been approved by the authorized accrediting body in the applicable country and has been verified by an independent credentials review agency to be comparable to a licensing board-approved prelicensure education program;

(3) Has, if a graduate of a foreign prelicensure education program not taught in English or if English is not the individual’s native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing, and listening;

(4) Has successfully passed an NCLEX-RN or NCLEX-PN examination or recognized predecessor, as applicable;

(5) Is eligible for or holds an active, unencumbered license;

(6) Has submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state’s criminal records;

(7) Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony offense under applicable state or federal criminal law;

(8) Has not been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis;

(9) Is not currently enrolled in an alternative program;

(10) Is subject to self-disclosure requirements regarding current participation in an alternative program; and

(11) Has a valid United States Social Security number.

4. All party states shall be authorized, in accordance with existing state due process law, to take adverse action against a nurse's multistate licensure privilege such as revocation, suspension, probation, or any other action that affects a nurse's authorization to practice under a multistate licensure privilege, including cease and desist actions. If a party state takes such action, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.

5. A nurse practicing in a party state shall comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of the party state in which the client is located. The practice of nursing in a party state under a multistate licensure privilege shall subject a nurse to the jurisdiction of the licensing board, the courts, and the laws of the party state in which the client is located at the time service is provided.

6. Individuals not residing in a party state shall continue to be able to apply for a party state's single-state license as provided under the laws of each party state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice nursing in any other party state. Nothing in this compact shall affect the requirements established by a party state for the issuance of a single-state license.

7. Any nurse holding a home state multistate license on the effective date of this compact may retain and renew the multistate license issued by the nurse's then current home state, provided that:

(1) A nurse who changes primary state of residence after this compact's effective date shall meet all applicable requirements as provided in subsection 3 of this section to obtain a multistate license from a new home state;

(2) A nurse who fails to satisfy the multistate licensure requirements in subsection 3 of this section due to a disqualifying event occurring after this compact's effective date shall be ineligible to retain or renew a multistate license, and the nurse's multistate license shall be revoked or deactivated in accordance with applicable rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators, commission.

335.375. 1. Upon application for a multistate license, the licensing board in the issuing party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or multistate licensure privilege held by the applicant, whether any adverse action has been taken against any license or multistate licensure privilege held by the applicant, and whether the applicant is currently participating in an alternative program.

2. A nurse shall hold a multistate license, issued by the home state, in only one party state at a time.

3. If a nurse changes primary state of residence by moving between two party states, the nurse

shall apply for licensure in the new home state, and the multistate license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the commission.

(1) The nurse may apply for licensure in advance of a change in primary state of residence.

(2) A multistate license shall not be issued by the new home state until the nurse provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a multistate license from the new home state.

4. If a nurse changes primary state of residence by moving from a party state to a non-party state, the multistate license issued by the prior home state shall convert to a single-state license, valid only in the former home state.

335.380. 1. In addition to the other powers conferred by state law, a licensing board shall have the authority to:

(1) Take adverse action against a nurse's multistate licensure privilege to practice within that party state;

(a) Only the home state shall have the power to take adverse action against a nurse's license issued by the home state;

(b) For purposes of taking adverse action, the home state licensing board shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action;

(2) Issue cease and desist orders or impose an encumbrance on a nurse's authority to practice within that party state;

(3) Complete any pending investigations of a nurse who changes primary state of residence during the course of such investigations. The licensing board shall also have the authority to take appropriate action and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any such actions;

(4) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a party state for the attendance and testimony of witnesses or the production of evidence from another party state shall be enforced in the latter state by any court of competent jurisdiction according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located;

(5) Obtain and submit, for each nurse licensure applicant, fingerprint or other biometric based information to the Federal Bureau of Investigation for criminal background checks, receive the results of the Federal Bureau of Investigation record search on criminal background checks, and use the results in making licensure decisions;

(6) If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse; and

(7) Take adverse action based on the factual findings of the remote state; provided that, the licensing board follows its own procedures for taking such adverse action.

2. If adverse action is taken by the home state against a nurse's multistate license, the nurse's multistate licensure privilege to practice in all other party states shall be deactivated until all encumbrances have been removed from the multistate license. All home state disciplinary orders that impose adverse action against a nurse's multistate license shall include a statement that the nurse's multistate licensure privilege is deactivated in all party states during the pendency of the order.

3. Nothing in this compact shall override a party state's decision that participation in an alternative program may be used in lieu of adverse action. The home state licensing board shall deactivate the multistate licensure privilege under the multistate license of any nurse for the duration of the nurse's participation in an alternative program.

335.385. 1. All party states shall participate in a coordinated licensure information system of all licensed registered nurses, "RNs", and licensed practical or vocational nurses, "LPNs" or "VNs". This system shall include information on the licensure and disciplinary history of each nurse, as submitted by party states, to assist in the coordination of nurse licensure and enforcement efforts.

2. The commission, in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.

3. All licensing boards shall promptly report to the coordinated licensure information system any adverse action, any current significant investigative information, denials of applications with the reasons for such denials, and nurse participation in alternative programs known to the licensing board regardless of whether such participation is deemed nonpublic or confidential under state law.

4. Current significant investigative information and participation in nonpublic or confidential alternative programs shall be transmitted through the coordinated licensure information system only to party state licensing boards.

5. Notwithstanding any other provision of law, all party state licensing boards contributing information to the coordinated licensure information system may designate information that shall not be shared with non-party states or disclosed to other entities or individuals without the express permission of the contributing state.

6. Any personally identifiable information obtained from the coordinated licensure information system by a party state licensing board shall not be shared with non-party states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

7. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.

8. The compact administrator of each party state shall furnish a uniform data set to the compact administrator of each other party state, which shall include, at a minimum:

(1) Identifying information;

(2) Licensure data;

(3) Information related to alternative program participation; and

(4) Other information that may facilitate the administration of this compact, as determined by commission rules.

9. The compact administrator of a party state shall provide all investigative documents and information requested by another party state.

335.390. 1. The party states hereby create and establish a joint public entity known as the “Interstate Commission of Nurse Licensure Compact Administrators”.

(1) The commission is an instrumentality of the party states.

(2) Venue is proper, and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. (1) Each party state shall have and be limited to one administrator. The head of the state licensing board or designee shall be the administrator of this compact for each party state. Any administrator may be removed or suspended from office as provided by the law of the state from which the administrator is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the party state in which the vacancy exists.

(2) Each administrator shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. An administrator shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for an administrator’s participation in meetings by telephone or other means of communication.

(3) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws or rules of the commission.

(4) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 335.395.

(5) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a party state with its obligations under this compact;

(b) The employment, compensation, discipline, or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission’s internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any reports prepared by or on behalf of the commission for the purpose of investigation of compliance with this compact; or

(j) Matters specifically exempted from disclosure by federal or state statute.

(6) If a meeting, or portion of a meeting, is closed pursuant to subdivision (5) of this subsection, the commission's legal counsel or designee shall certify that the meeting shall be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the administrators, prescribe bylaws or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of this compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the administrators vote to close a meeting in whole or in part. As soon as practicable, the commission must make public a copy of the vote to close the meeting revealing the vote of each administrator, with no proxy votes allowed;

(4) Establishing the titles, duties, and authority and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any party state, the bylaws shall exclusively govern the personnel policies and programs of the commission; and

(6) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of this compact after the payment or reserving of all of its debts and obligations.

4. The commission shall publish its bylaws and rules, and any amendments thereto, in a convenient form on the website of the commission.

5. The commission shall maintain its financial records in accordance with the bylaws.

6. The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

7. The commission shall have the following powers:

(1) To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all party states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission; provided that, the standing of any licensing board to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel including, but not limited to, employees of a party state or nonprofit organizations;

(5) To cooperate with other organizations that administer state compacts related to the regulation of nursing including, but not limited to, sharing administrative or staff expenses, office space, or other resources;

(6) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(7) To accept any and all appropriate donations, grants and gifts of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that, at all times the commission shall avoid any appearance of impropriety or conflict of interest;

(8) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, whether real, personal, or mixed; provided that, at all times the commission shall avoid any appearance of impropriety;

(9) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, whether real, personal, or mixed;

(10) To establish a budget and make expenditures;

(11) To borrow money;

(12) To appoint committees, including advisory committees comprised of administrators, state nursing regulators, state legislators or their representatives, consumer representatives, and other such interested persons;

(13) To provide and receive information from, and to cooperate with, law enforcement agencies;

(14) To adopt and use an official seal; and

(15) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of nurse licensure and practice.

8. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may also levy on and collect an annual assessment from each party state to cover the cost of its operations, activities, and staff in its annual budget as approved each year. The aggregate annual assessment amount, if any, shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule that is binding upon all party states.

(3) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the party states, except by and with the authority of such party state.

(4) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

9. (1) The administrators, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties, or responsibilities; provided that, nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any administrator, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any administrator, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

335.395. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of

the date specified in each rule or amendment and shall have the same force and effect as provisions of this compact.

2. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

3. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule shall be considered and voted upon, the commission shall file a notice of proposed rulemaking:

(1) On the website of the commission; and

(2) On the website of each licensing board or the publication in which each state would otherwise publish proposed rules.

4. The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting in which the rule shall be considered and voted upon;

(2) The text of the proposed rule or amendment, and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person;

(4) The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

5. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

6. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment.

7. The commission shall publish the place, time, and date of the scheduled public hearing.

(1) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. All hearings shall be recorded, and a copy shall be made available upon request.

(2) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

8. If no one appears at the public hearing, the commission may proceed with promulgation of the proposed rule.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all administrators, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing; provided that, the usual

rulemaking procedures provided in this compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;
- (2) Prevent a loss of commission or party state funds; or
- (3) Meet a deadline for the promulgation of an administrative rule that is required by federal law or rule.

12. The commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision shall be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision shall not take effect without the approval of the commission.

335.400. 1. (1) Each party state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purposes and intent.

(2) The commission shall be entitled to receive service of process in any proceeding that may affect the powers, responsibilities, or actions of the commission, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process in such proceeding to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

2. (1) If the commission determines that a party state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) Provide written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default, or any other action to be taken by the commission; and

(b) Provide remedial training and specific technical assistance regarding the default.

(2) If a state in default fails to cure the default, the defaulting state's membership in this compact shall be terminated upon an affirmative vote of a majority of the administrators, and all rights, privileges, and benefits conferred by this compact shall be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(3) Termination of membership in this compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor of the defaulting state, to the executive officer of the defaulting state's licensing board, and each of the party states.

(4) A state whose membership in this compact has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including

obligations that extend beyond the effective date of termination.

(5) The commission shall not bear any costs related to a state that is found to be in default or whose membership in this compact has been terminated unless agreed upon in writing between the commission and the defaulting state.

(6) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district in which the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

3. (1) Upon request by a party state, the commission shall attempt to resolve disputes related to the compact that arise among party states and between party and non-party states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes, as appropriate.

(3) In the event the commission cannot resolve disputes among party states arising under this compact:

(a) The party states shall submit the issues in dispute to an arbitration panel, which shall be comprised of individuals appointed by the compact administrator in each of the affected party states and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute.

(b) The decision of a majority of the arbitrators shall be final and binding.

4. (1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(2) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district in which the commission has its principal offices against a party state that is in default to enforce compliance with the provisions of this compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(3) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

335.405. 1. This compact shall become effective and binding on the earlier of the date of legislative enactment of this compact into law by no less than twenty-six states or December 31, 2018. All party states to this compact that also were parties to the prior Nurse Licensure Compact superseded by this compact "prior compact" shall be deemed to have withdrawn from said prior compact within six months after the effective date of this compact.

2. Each party state to this compact shall continue to recognize a nurse's multistate licensure privilege to practice in that party state issued under the prior compact until such party state has withdrawn from the prior compact.

3. Any party state may withdraw from this compact by enacting a statute repealing the same. A

party state’s withdrawal shall not take effect until six months after enactment of the repealing statute.

4. A party state’s withdrawal or termination shall not affect the continuing requirement of the withdrawing or terminated state’s licensing board to report adverse actions and significant investigations occurring prior to the effective date of such withdrawal or termination.

5. Nothing contained in this compact shall be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a non-party state that is made in accordance with the other provisions of this compact.

6. This compact may be amended by the party states. No amendment to this compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all party states.

7. Representatives of non-party states to this compact shall be invited to participate in the activities of the commission on a nonvoting basis prior to the adoption of this compact by all states.

335.410. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, this compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

335.415. 1. The term “head of the nurse licensing board” as referred to in section 335.390 of this compact shall mean the executive director of the Missouri state board of nursing.

2. This compact is designed to facilitate the regulation of nurses, and does not relieve employers from complying with statutorily imposed obligations.

3. This compact does not supersede existing state labor laws.”; and

“[335.300. 1. The party states find that:

(1) The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;

(2) Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;

(3) The expanded mobility of nurses and the use of advanced communication technologies as part of our nation’s health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;

(4) New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;

(5) The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states.

2. The general purposes of this compact are to:

- (1) Facilitate the states' responsibility to protect the public's health and safety;
- (2) Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;
- (3) Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions;
- (4) Promote compliance with the laws governing the practice of nursing in each jurisdiction;
- (5) Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses.]

[335.305. As used in this compact, the following terms shall mean:

- (1) "Adverse action", a home or remote state action;
- (2) "Alternative program", a voluntary, nondisciplinary monitoring program approved by a nurse licensing board;
- (3) "Coordinated licensure information system", an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws, which is administered by a nonprofit organization composed of and controlled by state nurse licensing boards;
- (4) "Current significant investigative information":
 - (a) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or
 - (b) Investigative information that indicates that the nurse represents an immediate threat to public health and safety regardless of whether the nurse has been notified and had an opportunity to respond;
- (5) "Home state", the party state that is the nurse's primary state of residence;
- (6) "Home state action", any administrative, civil, equitable, or criminal action permitted by the home state's laws that are imposed on a nurse by the home state's licensing board or other authority including actions against an individual's license such as: revocation, suspension, probation, or any other action affecting a nurse's authorization to practice;
- (7) "Licensing board", a party state's regulatory body responsible for issuing nurse licenses;
- (8) "Multistate licensing privilege", current, official authority from a remote state permitting the practice of nursing as either a registered nurse or a licensed practical/vocational nurse in such party state. All party states have the authority, in accordance with existing state due process law, to take actions against the nurse's privilege such as: revocation, suspension, probation, or any other action that affects a nurse's authorization to practice;

(9) “Nurse”, a registered nurse or licensed/vocational nurse, as those terms are defined by each state’s practice laws;

(10) “Party state”, any state that has adopted this compact;

(11) “Remote state”, a party state, other than the home state:

(a) Where a patient is located at the time nursing care is provided; or

(b) In the case of the practice of nursing not involving a patient, in such party state where the recipient of nursing practice is located;

(12) “Remote state action”:

(a) Any administrative, civil, equitable, or criminal action permitted by a remote state’s laws which are imposed on a nurse by the remote state’s licensing board or other authority including actions against an individual’s multistate licensure privilege to practice in the remote state; and

(b) Cease and desist and other injunctive or equitable orders issued by remote states or the licensing boards thereof;

(13) “State”, a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;

(14) “State practice laws”, those individual party’s state laws and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. State practice laws does not include the initial qualifications for licensure or requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.]

[335.310. 1. A license to practice registered nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a multistate licensure privilege to practice as a registered nurse in such party state. A license to practice licensed practical/vocational nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a multistate licensure privilege to practice as a licensed practical/vocational nurse in such party state. In order to obtain or retain a license, an applicant must meet the home state’s qualifications for licensure and license renewal as well as all other applicable state laws.

2. Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens. If a party state takes such action, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.

3. Every nurse practicing in a party state must comply with the state practice laws of the state in which the patient is located at the time care is rendered. In addition, the practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of a party state. The practice of nursing will subject a nurse to the jurisdiction of the nurse licensing board and the courts, as well as the laws, in that party state.

4. This compact does not affect additional requirements imposed by states for advanced practice registered nursing. However, a multistate licensure privilege to practice registered nursing granted by a party state shall be recognized by other party states as a license to practice registered nursing if one is required by state law as a precondition for qualifying for advanced practice registered nurse authorization.

5. Individuals not residing in a party state shall continue to be able to apply for nurse licensure as provided for under the laws of each party state.

However, the license granted to these individuals will not be recognized as granting the privilege to practice nursing in any other party state unless explicitly agreed to by that party state.]

[335.315. 1. Upon application for a license, the licensing board in a party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any restrictions on the multistate licensure privilege, and whether any other adverse action by any state has been taken against the license.

2. A nurse in a party state shall hold licensure in only one party state at a time, issued by the home state.

3. A nurse who intends to change primary state of residence may apply for licensure in the new home state in advance of such change. However, new licenses will not be issued by a party state until after a nurse provides evidence of change in primary state of residence satisfactory to the new home state's licensing board.

4. When a nurse changes primary state of residence by:

(1) Moving between two party states, and obtains a license from the new home state, the license from the former home state is no longer valid;

(2) Moving from a nonparty state to a party state, and obtains a license from the new home state, the individual state license issued by the nonparty state is not affected and will remain in full force if so provided by the laws of the nonparty state;

(3) Moving from a party state to a nonparty state, the license issued by the prior home state converts to an individual state license, valid only in the former home state, without the multistate licensure privilege to practice in other party states.]

[335.320. In addition to the general provisions described in article III of this compact, the following provisions apply:

(1) The licensing board of a remote state shall promptly report to the administrator of the coordinated licensure information system any remote state actions including the factual and legal basis for such action, if known. The licensing board of a remote state shall also promptly report any significant current investigative information yet to result in a remote state action. The administrator of the coordinated licensure information system shall promptly notify the home state of any such reports;

(2) The licensing board of a party state shall have the authority to complete any pending

investigations for a nurse who changes primary state of residence during the course of such investigations. It shall also have the authority to take appropriate actions, and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any such actions;

(3) A remote state may take adverse action affecting the multistate licensure privilege to practice within that party state. However, only the home state shall have the power to impose adverse action against the license issued by the home state;

(4) For purposes of imposing adverse action, the licensing board of the home state shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state, in so doing, it shall apply its own state laws to determine appropriate action;

(5) The home state may take adverse action based on the factual findings of the remote state, so long as each state follows its own procedures for imposing such adverse action;

(6) Nothing in this compact shall override a party state's decision that participation in an alternative program may be used in lieu of licensure action and that such participation shall remain nonpublic if required by the party state's laws. Party states must require nurses who enter any alternative programs to agree not to practice in any other party state during the term of the alternative program without prior authorization from such other party state.]

[335.325. Notwithstanding any other powers, party state nurse licensing boards shall have the authority to:

(1) If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse;

(2) Issue subpoenas for both hearings and investigations which require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a nurse licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and evidence are located;

(3) Issue cease and desist orders to limit or revoke a nurse's authority to practice in their state;

(4) Promulgate uniform rules and regulations as provided for in subsection 3 of section 335.335.]

[335.330. 1. All party states shall participate in a cooperative effort to create a coordinated database of all licensed registered nurses and licensed practical/vocational nurses. This system will include information on the licensure and disciplinary history of each nurse, as contributed by party states, to assist in the coordination of nurse licensure and enforcement efforts.

2. Notwithstanding any other provision of law, all party states' licensing boards shall promptly report adverse actions, actions against multistate licensure privileges, any current significant

investigative information yet to result in adverse action, denials of applications, and the reasons for such denials to the coordinated licensure information system.

3. Current significant investigative information shall be transmitted through the coordinated licensure information system only to party state licensing boards.

4. Notwithstanding any other provision of law, all party states' licensing boards contributing information to the coordinated licensure information system may designate information that may not be shared with nonparty states or disclosed to other entities or individuals without the express permission of the contributing state.

5. Any personally identifiable information obtained by a party state's licensing board from the coordinated licensure information system may not be shared with nonparty states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

6. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.

7. The compact administrators, acting jointly with each other and in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.]

[335.335. 1. The head of the nurse licensing board, or his/her designee, of each party state shall be the administrator of this compact for his/her state.

2. The compact administrator of each party shall furnish to the compact administrator of each other party state any information and documents including, but not limited to, a uniform data set of investigations, identifying information, licensure data, and disclosable alternative program participation information to facilitate the administration of this compact.

3. Compact administrators shall have the authority to develop uniform rules to facilitate and coordinate implementation of this compact. These uniform rules shall be adopted by party states, under the authority invested under subsection 4 of section 335.325.]

[335.340. No party state or the officers or employees or agents of a party state's nurse licensing board who acts in accordance with the provisions of this compact shall be liable on account of any act or omission in good faith while engaged in the performance of their duties under this compact. Good faith in this article shall not include willful misconduct, gross negligence, or recklessness.]

[335.345. 1. This compact shall enter into force and become effective as to any state when it has been enacted into the laws of that state. Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the withdrawing state has given notice of the withdrawal to the executive heads of all other party states.

2. No withdrawal shall affect the validity or applicability by the licensing boards of states remaining party to the compact of any report of adverse action occurring prior to the withdrawal.

3. Nothing contained in this compact shall be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a non-party state that is made in accordance with the other provisions of this compact.

4. This compact may be amended by the party states. No amendment to this compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all party states.]

[335.350. 1. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

2. In the event party states find a need for settling disputes arising under this compact:

(1) The party states may submit the issues in dispute to an arbitration panel which will be comprised of an individual appointed by the compact administrator in the home state, an individual appointed by the compact administrator in the remote states involved, and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute;

(2) The decision of a majority of the arbitrators shall be final and binding.]

[335.355. 1. The term “head of the nurse licensing board” as referred to in article VIII of this compact shall mean the executive director of the Missouri state board of nursing.

2. A person who is extended the privilege to practice in this state pursuant to the nurse licensure compact is subject to discipline by the board, as set forth in this chapter, for violation of this chapter or the rules and regulations promulgated herein. A person extended the privilege to practice in this state pursuant to the nurse licensure compact shall be subject to adhere to all requirements of this chapter, as if such person were originally licensed in this state.

3. Sections 335.300 to 335.355 are applicable only to nurses whose home states are determined by the Missouri state board of nursing to have licensure requirements that are substantially equivalent or more stringent than those of Missouri.

4. This compact is designed to facilitate the regulation of nurses, and does not relieve employers from complying with statutorily imposed obligations.

5. This compact does not supercede existing state labor laws.]; and

Section B. The repeal of sections 335.300 to 335.355 and the enactment of sections 335.360 to 335.415 of this act shall become effective on December 31, 2018, or upon the enactment of sections 335.360 to 335.415 of this act by no less than twenty-six states and notification of such enactment to the revisor of statutes by the Interstate Commission of Nurse Licensure Compact Administrators, whichever occurs first.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Lines 1-3, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“334.1200. PURPOSE

The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This compact is designed to achieve the following objectives:

- 1. Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses;**
- 2. Enhance the states’ ability to protect the public’s health and safety;**
- 3. Encourage the cooperation of member states in regulating multistate physical therapy practice;**
- 4. Support spouses of relocating military members;**
- 5. Enhance the exchange of licensure, investigative, and disciplinary information between member states; and**
- 6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state’s practice standards.**

334.1203. DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall apply:

- 1. “Active Duty Military” means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.**
- 2. “Adverse Action” means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.**
- 3. “Alternative Program” means a nondisciplinary monitoring or practice remediation process approved by a physical therapy licensing board. This includes, but is not limited to, substance abuse issues.**
- 4. “Compact privilege” means the authorization granted by a remote state to allow a licensee from**

another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules. The practice of physical therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

5. “Continuing competence” means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

6. “Data system” means a repository of information about licensees, including examination, licensure, investigative, compact privilege, and adverse action.

7. “Encumbered license” means a license that a physical therapy licensing board has limited in any way.

8. “Executive Board” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

9. “Home state” means the member state that is the licensee’s primary state of residence.

10. “Investigative information” means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.

11. “Jurisprudence requirement” means the assessment of an individual’s knowledge of the laws and rules governing the practice of physical therapy in a state.

12. “Licensee” means an individual who currently holds an authorization from the state to practice as a physical therapist or to work as a physical therapist assistant.

13. “Member state” means a state that has enacted the compact.

14. “Party state” means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.

15. “Physical therapist” means an individual who is licensed by a state to practice physical therapy.

16. “Physical therapist assistant” means an individual who is licensed/certified by a state and who assists the physical therapist in selected components of physical therapy.

17. “Physical therapy”, “physical therapy practice”, and “the practice of physical therapy” mean the care and services provided by or under the direction and supervision of a licensed physical therapist.

18. “Physical therapy compact commission” or “commission” means the national administrative body whose membership consists of all states that have enacted the compact.

19. “Physical therapy licensing board” or “licensing board” means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

20. “Remote state” means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

21. “Rule” means a regulation, principle, or directive promulgated by the commission that has

the force of law.

22. “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

334.1206. STATE PARTICIPATION IN THE COMPACT

A. To participate in the compact, a state must:

1. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

2. Have a mechanism in place for receiving and investigating complaints about licensees;

3. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

4. Fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions in accordance with section 334.1206.B.;

5. Comply with the rules of the commission;

6. Utilize a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

7. Have continuing competence requirements as a condition for license renewal.

B. Upon adoption of sections 334.1200 to 334.1233, the member state shall have the authority to obtain biometric-based information from each physical therapy licensure applicant and submit this information to the Federal Bureau of Investigation for a criminal background check in accordance with 28 U.S.C. Section 534 and 42 U.S.C. Section 14616.

C. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

D. Member states may charge a fee for granting a compact privilege.

334.1209. COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

1. Hold a license in the home state;

2. Have no encumbrance on any state license;

3. Be eligible for a compact privilege in any member state in accordance with section 334.1209D, G and H;

4. Have not had any adverse action against any license or compact privilege within the previous 2 years;

5. Notify the commission that the licensee is seeking the compact privilege within a remote state(s);

6. Pay any applicable fees, including any state fee, for the compact privilege;

7. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege; and

8. Report to the commission adverse action taken by any nonmember state within thirty days from the date the adverse action is taken.

B. The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of section 334.1209.A. to maintain the compact privilege in the remote state.

C. A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

D. A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

E. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

- 1. The home state license is no longer encumbered; and**
- 2. Two years have elapsed from the date of the adverse action.**

F. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of section 334.1209A to obtain a compact privilege in any remote state.

G. If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact privilege in any remote state until the following occur:

- 1. The specific period of time for which the compact privilege was removed has ended;**
- 2. All fines have been paid; and**
- 3. Two years have elapsed from the date of the adverse action.**

H. Once the requirements of section 334.1209G have been met, the license must meet the requirements in section 334.1209A to obtain a compact privilege in a remote state.

334.1212. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may designate one of the following as the home state:

- A. Home of record;**
- B. Permanent change of station (PCS); or**
- C. State of current residence if it is different than the PCS state or home of record.**

334.1215. ADVERSE ACTIONS

A. A home state shall have exclusive power to impose adverse action against a license issued by the home state.

B. A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

C. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

D. Any member state may investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist or physical therapist assistant holds a license or compact privilege.

E. A remote state shall have the authority to:

1. Take adverse actions as set forth in section 334.1209.D. against a licensee's compact privilege in the state;

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a physical therapy licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

3. If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

F. Joint Investigations

1. In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

334.1218. ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION.

A. The compact member states hereby create and establish a joint public agency known as the physical therapy compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely

and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one delegate selected by that member state's licensing board.

2. The delegate shall be a current member of the licensing board, who is a physical therapist, physical therapist assistant, public member, or the board administrator.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring in the commission.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Maintain its financial records in accordance with the bylaws;

4. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

5. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

6. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law shall not be affected;

7. Purchase and maintain insurance and bonds;

8. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

9. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's

personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

10. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an executive board; and

18. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of physical therapy licensure and practice.

D. The Executive Board

The executive board shall have the power to act on behalf of the commission according to the terms of this compact.

1. The executive board shall be comprised of nine members:

a. Seven voting members who are elected by the commission from the current membership of the commission;

b. One ex officio, nonvoting member from the recognized national physical therapy professional association; and

c. One ex officio, nonvoting member from the recognized membership organization of the physical therapy licensing boards.

2. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive board as provided in bylaws.

4. The executive board shall meet at least annually.

5. The executive board shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact

fee charged to licensees for the compact privilege;

- b. Ensure compact administration services are appropriately provided, contractual or otherwise;**
- c. Prepare and recommend the budget;**
- d. Maintain financial records on behalf of the commission;**
- e. Monitor compact compliance of member states and provide compliance reports to the commission;**
- f. Establish additional committees as necessary; and**
- g. Other duties as provided in rules or bylaws.**

E. Meetings of the Commission

1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1224.

2. The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive board or other committees of the commission must discuss:

- a. Noncompliance of a member state with its obligations under the compact;**
- b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;**
- c. Current, threatened, or reasonably anticipated litigation;**
- d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;**
- e. Accusing any person of a crime or formally censuring any person;**
- f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;**
- g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;**
- h. Disclosure of investigative records compiled for law enforcement purposes;**
- i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or**
- j. Matters specifically exempted from disclosure by federal or member state statute.**

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore,

including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

F. Financing of the Commission

1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.
2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.
3. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.
4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.
5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.
2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

334.1221. DATA SYSTEM

A. The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- 1. Identifying information;**
- 2. Licensure data;**
- 3. Adverse actions against a license or compact privilege;**
- 4. Nonconfidential information related to alternative program participation;**
- 5. Any denial of application for licensure, and the reason(s) for such denial; and**
- 6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.**

C. Investigative information pertaining to a licensee in any member state will only be available to other party states.

D. The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

334.1224. RULEMAKING

A. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

D. Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission or other publicly accessible platform; and

2. On the website of each member state physical therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The notice of proposed rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

F. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

G. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five persons;

2. A state or federal governmental subdivision or agency; or

3. An association having at least twenty-five members.

H. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

K. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- 1. Meet an imminent threat to public health, safety, or welfare;**
- 2. Prevent a loss of commission or member state funds;**
- 3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or**
- 4. Protect public health and safety.**

M. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1227. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

B. Default, Technical Assistance, and Termination

1. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

C. Dispute Resolution

1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement

1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its

promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1230. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

B. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

C. Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this compact shall be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1233. CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 2, by inserting after all of said line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate; and

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall

determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in section 191.1085.

6. The council shall submit an annual report to the general assembly, which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities including, but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council established in section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with

and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“208.952. 1. There is hereby established [the] **a permanent** “Joint Committee on [MO HealthNet] **Public Assistance**”. The committee shall have [as its purpose the study of] the **following purposes**:

(1) Studying, monitoring, and reviewing the efficacy of the public assistance programs within the state;

(2) Determining the level and adequacy of resources needed [to continue and improve the MO HealthNet program over time] for the public assistance programs within the state; and

(3) Developing recommendations to the general assembly on the public assistance programs within the state and on promoting independence from safety net programs among participants as may be appropriate.

The committee shall receive and obtain information from the departments of social services, mental health, health and senior services, and elementary and secondary education, and any other department as applicable, regarding the public assistance programs within the state including, but not limited to, MO HealthNet, the supplemental nutrition assistance program (SNAP), and temporary assistance for needy families (TANF). Such information shall include projected enrollment growth, budgetary matters, trends in childhood poverty and hunger, and any other information deemed to be relevant to the committee’s purpose.

2. The directors of the department of social services, mental health, and health and senior services shall each submit an annual written report to the committee providing data and statistical information regarding the caseloads of the department’s employees involved in the administration of public assistance programs.

3. The committee shall consist of ten members:

(1) The chair and the ranking minority member of the house of representatives committee on the budget;

(2) The chair and the ranking minority member of the senate committee on appropriations [committee];

(3) The chair and the ranking minority member of the standing house of representatives committee [on appropriations for health, mental health, and social services] designated to consider public assistance

legislation and matters;

(4) The chair and the ranking minority member of the **standing** senate committee [on health and mental health] **designated to consider public assistance legislation and matters;**

(5) A representative chosen by the speaker of the house of representatives; and

(6) A senator chosen by the president pro [tem] **tempore** of the senate.

No more than [three] **four** members from each [house] **chamber** shall be of the same political party.

[2.] **4.** A chair of the committee shall be selected by the members of the committee.

[3.] **5.** The committee shall meet [as necessary] **at least twice a year. A portion of the meeting shall be set aside for the purpose of receiving public testimony. The committee shall seek recommendations from social, economic, and public assistance experts on ways to improve the effectiveness of public assistance programs, to improve program efficiency and reduce costs, and to promote self-sufficiency among public assistance recipients as may be appropriate.**

[4. Nothing in this section shall be construed as authorizing the committee to hire employees or enter into any employment contracts.

5. The committee shall receive and study the five-year rolling MO HealthNet budget forecast issued annually by the legislative budget office.]

6. The committee is authorized to hire staff and enter into employment contracts including, but not limited to, an executive director to conduct special reviews or investigations of the public assistance programs within the state in order to assist the committee with its duties. Staff appointments shall be approved by the president pro tempore of the senate and the speaker of the house of representatives. The compensation of committee staff and the expenses of the committee shall be paid from the joint contingent fund or jointly from the senate and house of representatives contingent funds until an appropriation is made therefor.

7. The committee shall annually conduct a rolling five-year forecast of the public assistance programs within the state and make recommendations in a report to the general assembly by January first each year, beginning in [2008] 2018, on anticipated growth [in the MO HealthNet program] of the public assistance programs within the state, needed improvements, anticipated needed appropriations, and suggested strategies on ways to structure the state budget in order to satisfy the future needs of [the program] such programs.

[208.985. 1. Pursuant to section 33.803, by January 1, 2008, and each January first thereafter, the legislative budget office shall annually conduct a rolling five-year MO HealthNet forecast. The forecast shall be issued to the general assembly, the governor, the joint committee on MO HealthNet, and the oversight committee established in section 208.955. The forecast shall include, but not be limited to, the following, with additional items as determined by the legislative budget office:

(1) The projected budget of the entire MO HealthNet program;

(2) The projected budgets of selected programs within MO HealthNet;

(3) Projected MO HealthNet enrollment growth, categorized by population and geographic area;

(4) Projected required reimbursement rates for MO HealthNet providers; and

(5) Projected financial need going forward.

2. In preparing the forecast required in subsection 1 of this section, where the MO HealthNet program overlaps more than one department or agency, the legislative budget office may provide for review and investigation of the program or service level on an interagency or interdepartmental basis in an effort to review all aspects of the program.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 2, Section 197.170, Lines 50-53, by deleting all of said lines and inserting in lieu thereof the following:

“comply with the provisions of this section.”; and

Further amend said bill, Page 4, Section 208.800, Lines 1-3, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

“338.202. 1. Notwithstanding any other provision of law to the contrary, unless the prescriber has specified on the prescription that dispensing a prescription for a maintenance medication in an initial amount followed by periodic refills is medically necessary, a pharmacist may exercise his or her professional judgment to dispense varying quantities of maintenance medication per fill up to the total number of dosage units as authorized by the prescriber on the original prescription, including any refills. Dispensing of the maintenance medication based on refills authorized by the prescriber on the prescription shall be limited to no more than a ninety-day supply of the medication, and the maintenance medication shall have been previously prescribed to the patient for at least a three-month period.

2. For the purposes of this section “maintenance medication” is a medication prescribed for chronic, long-term conditions and is taken on a regular, recurring basis, except that it shall not include controlled substances as defined in section 195.010.

376.1475. 1. This section shall be known and may be cited as the “Predetermination of Health Care Benefits Act”.

2. For the purposes of this section, the following terms shall mean:

(1) “Administrative simplification provision”, transaction and code standards promulgated under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, and 45 CFR 160 and 162;

(2) “Director”, the director of the department of insurance, financial institutions and professional registration;

(3) “Health benefit plan” and “health care provider”, the same meanings as those terms are defined in section 376.1350;

(4) “Health care clearinghouse”, the same meaning as the term is defined in 45 CFR 160.103;

(5) “Payment”, a deductible or coinsurance payment and shall not include a co-payment;

(6) “Standard electronic transactions”, electronic claim and remittance advice transactions created by the Accredited Standards Committee (ASC) X12 in the format of ASC X12 837I, ASC X12 837P, or ASC X12 835, or any of their respective successors.

3. Health benefit plans that receive an electronic health care predetermination request from a health care provider consistent with the requirements set forth in subsection 6 of this section shall provide the requesting health care provider with information on the amount of expected benefits coverage on the procedures specified in the request that is accurate at the time of the health benefit plan’s response.

4. Any predetermination response provided by a health benefit plan under this section in good faith shall be deemed to be an estimate only and shall not be binding upon the health benefit plan with regard to the final amount of benefits actually provided by the health benefit plan.

5. The amounts for the referenced services under subsection 3 of this section shall include:

(1) The amount the patient will be expected to pay, clearly identifying any deductible amount, coinsurance, and co-payment;

(2) The amount the health care provider will be paid;

(3) The amount the institution will be paid; and

(4) Whether any payments will be reduced, but not to zero dollars, or increased from the agreed fee schedule amounts, and if so, the health care policy that identifies why the payments will be reduced or increased.

6. The health care predetermination request and predetermination response shall be conducted in accordance with administrative simplification provisions using the currently applicable standard electronic transactions, without regard to whether the transaction is mandated by HIPAA. It shall also comply with any rules promulgated by the director, without regard to whether such rules are mandated by HIPAA. To the extent HIPAA-mandated electronic claim and remittance transactions are modified to include predetermination, the provisions of this section shall not apply to health benefit plans which provide this information under HIPAA.

7. The health benefit plan’s predetermination response to the health care predetermination request shall be returned using the same transmission method as that of the request. This shall include a real time response for a real time request.

8. A health care clearinghouse that contracts with a health care provider shall be required to conduct a transaction as described in subsections 5, 6, and 7 of this section if requested by the health care provider.

9. Nothing in this act precludes the collection of payment prior to receiving health benefit services once a health benefit plan has fulfilled any predetermination request.

10. The provisions of this section shall not apply to a supplemental insurance policy, including a

life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policy of six months or less duration, or any other supplemental policy.

11. The director shall adopt rules and regulations necessary to carry out the provisions of this section.

12. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

Section B. Section 376.1475 of Section A of this act shall become effective July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“376.2029. The legislature declares it a matter of public interest:

(1) That patients be exempt from step therapy protocols if inappropriate or otherwise not in the best interest of the patient;

(2) That patients, through their health care providers, have access to a fair, transparent, and independent process for requesting an exception to a step therapy protocol if the patient’s health care provider deems such exception appropriate; and

(3) That patients and health care providers receive a timely determination from health carriers and health benefit plans on requests for an exception to a step therapy protocol.

376.2030. As used in sections 376.2030 to 376.2036, the following terms mean:

(1) “Emergency medical condition”, the same meaning as such term is defined in section 376.1350;

(2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;

(3) “Health care provider”, the same meaning as such term is defined in section 376.1350;

(4) “Health carrier”, the same meaning as such term is defined in section 376.1350;

(5) “Step therapy override exception determination”, a determination as to whether a step therapy protocol should apply in a particular situation, or whether the step therapy protocol should be overridden in favor of immediate coverage of the health care provider’s preferred prescription drug. Such determination shall be based on a review of the patient’s or health care provider’s request for an override, along with supporting rationale and documentation;

(6) “Step therapy override exception request”, a written or electronic request from a patient’s

health care provider for the step therapy protocol to be overridden in favor of immediate coverage of the health care provider's preferred prescription drug. The manner and form of the request shall be disclosed to the patient and health care provider as provided under section 376.2034;

(7) "Step therapy protocol", a protocol or program that establishes a specific sequence in which prescription drugs for a specified medical condition and medically appropriate for a particular patient are to be prescribed and covered by a health carrier or health benefit plan;

(8) "Utilization review organization", an entity that conducts utilization review other than an insurer or health carrier performing utilization review for its own health benefit plans.

376.2034. 1. If coverage of a prescription drug for the treatment of any medical condition is restricted for use by a health carrier, health benefit plan, or utilization review organization via a step therapy protocol, a patient and his or her health care provider shall have access to a readily accessible process to request a step therapy override exception determination. A health carrier, health benefit plan, or utilization review organization may use its existing medical exceptions process to satisfy this requirement. The process shall be disclosed to the patient and health care provider, which shall include the necessary documentation needed to process such request and be made available on the health carrier plan or health benefit plan website.

2. A step therapy override exception request shall be expeditiously granted if:

(1) The required prescription drug is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) The required prescription drug is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) The patient has tried the step therapy required prescription drug while under his or her current or previous health insurance or health benefit plan, and the use of such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event;

(4) The patient has tried a prescription drug in the same therapeutic class as the step therapy required prescription drug or with a similar mechanism of action that would generally possess a comparable potency. Pharmacy drug samples shall not be considered trial and failure of a preferred prescription drug in lieu of trying the step therapy required prescription drug; or

(5) The step therapy required prescription drug is not in the best interest of the patient based on medical necessity.

3. The health carrier, health benefit plan, or utilization review organization may request relevant documentation from the health care provider to support the override exception request, including the results of any clinical evaluation or evidence that the patient has tried the step therapy required prescription drug and the use of such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event.

4. Upon granting a step therapy override exception request, the health carrier, health benefit plan, or utilization review organization shall authorize dispensation of and coverage for the prescription drug prescribed by the patient's treating health care provider, provided such drug is a covered drug under such policy or plan.

5. (1) The health carrier, health benefit plan, or utilization review organization shall:

(a) Acknowledge receipt of a step therapy override exception request and indicate if relevant supporting documentation is needed within one business day of receipt of the request;

(b) If supporting documentation is not needed, grant or deny the step therapy override exception request within three business days of receipt of the request; and

(c) If supporting documentation is needed, grant or deny the step therapy override exception request within three business days of receipt of the supporting documentation.

(2) If an emergency medical condition exists, a health carrier, health benefit plan, or utilization review organization shall:

(a) Acknowledge receipt of a step therapy override exception request and indicate if relevant supporting documentation is needed within one business day of receipt of the request;

(b) If supporting documentation is not needed, grant or deny the step therapy override exception request within one business day of receipt of the request; and

(c) If supporting documentation is needed, grant or deny the step therapy override exception request within one business day of receipt of the supporting documentation.

(3) If an insurer, health plan, or utilization review organization does not grant or deny the step therapy override exception request within the time allotted under this subsection, the step therapy override exception request shall be deemed granted.

(4) If an insurer, health plan, or utilization review organization denies a step therapy override exception request, the insurer, health benefit plan, or utilization review organization shall provide notification of the denial and a detailed explanation of the reason for the denial to the patient and health care provider. Such detailed explanation shall include the clinical rationale that supports the denial of the step therapy override exception request, if applicable. Upon denial of a step therapy override exception request, the requesting health care provider, on behalf of the patient, shall be given an opportunity to request a reconsideration of the denial as provided under section 376.1365.

6. This section shall not be construed to prevent:

(1) A health carrier, health benefit plan, or utilization review organization from requiring a patient to try an A/B rated generic equivalent or other branded prescription drug prior to providing coverage for the requested branded prescription drug; or

(2) A health care provider from prescribing a prescription drug he or she determines is medically appropriate.

376.2036. 1. The director of the department of insurance, financial institutions and professional registration shall grant a health carrier, health benefit plan, or utilization review organization a waiver from the provisions of sections 376.2030 to 376.2036 if the health carrier, health benefit plan, or utilization review organization demonstrates to the director by actual experience, which is certified by an independent member of the American Academy of Actuaries, over any consecutive twenty-four-month period that compliance with sections 376.2030 to 376.2036 has independently increased the cost of its health insurance policies or health benefit plans by an amount that results in an increase in

premium costs to the health carrier, health benefit plan, or utilization review organization greater than the medical inflation rate for such twenty-four-month period. The data provided in support of the waiver and certified by the independent actuary shall demonstrate that the increased costs are attributable to the provisions of sections 376.2030 to 376.2036.

2. The provisions of sections 376.2030 to 376.2036 shall apply only to health insurance policies and health benefit plans delivered, issued for delivery, or renewed on or after January 1, 2018.

3. Notwithstanding any law to the contrary, the department of insurance, financial institutions and professional registration shall promulgate any regulations necessary to enforce sections 376.2030 to 376.2036. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) **“Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;**

(2) **“Best interests”:**

(a) **Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;**

(b) **Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and**

(c) **Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;**

(3) **“Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;**

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician's designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient's personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the

tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section 208.148, Line 27, by inserting after all of said section and line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as [defined] **described** in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through

its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term “temporary leave of absence” shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians’ services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician’s professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person’s physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care

facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices

of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term “hospice care” means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant’s home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant’s treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as [defined] **described** in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term “hospice care” means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a

participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division[,] may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the

requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536.

14. Beginning July 1, 2016, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill and page, Section 208.800, Line 3, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to ensure the provision of vital health care services for MO HealthNet recipients, the repeal and reenactment of section 208.152 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 208.152 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 13

Amend House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 3, Line 47, by deleting all of said line and inserting in lieu thereof the following:

“declined.

205.165. 1. The board of trustees of any hospital authorized under subsection 1 of this section and organized under the provisions of sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.

2. The provisions of this section shall only apply if the hospital:

(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and

(2) Receives less than one percent of its annual revenues from county or state taxes.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital’s funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.

167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student’s parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices; [and]

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals’s health care provider; and

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention**, unless a signed statement of medical or religious

exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education."“; and

Further amend said bill, Page 2, Section 197.170, Line 53, by inserting after all of said section and line the following:

“197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of

need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; **or**

(2) **Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.**

198.054. Each year between October first and March first, all long-term care facilities licensed

under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined.”; and

Further amend said bill, Page 4, Section 208.800, Line 3, by inserting after all of said section and line the following:

“338.200. 1. In the event a pharmacist is unable to obtain refill authorization from the prescriber due to death, incapacity, or when the pharmacist is unable to obtain refill authorization from the prescriber, a pharmacist may dispense an emergency supply of medication if:

(1) In the pharmacist’s professional judgment, interruption of therapy might reasonably produce undesirable health consequences;

(2) The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;

(3) The medication dispensed is not a controlled substance;

(4) The pharmacist informs the patient or the patient’s agent either verbally, electronically, or in writing at the time of dispensing that authorization of a prescriber is required for future refills; and

(5) The pharmacist documents the emergency dispensing in the patient’s prescription record, as provided by the board by rule.

2. (1) If the pharmacist is unable to obtain refill authorization from the prescriber, the amount dispensed shall be limited to the amount determined by the pharmacist within his or her professional judgment as needed for the emergency period, provided the amount dispensed shall not exceed a seven-day supply.

(2) In the event of prescriber death or incapacity or inability of the prescriber to provide medical services, the amount dispensed shall not exceed a thirty-day supply.

3. Pharmacists or permit holders dispensing an emergency supply pursuant to this section shall promptly notify the prescriber or the prescriber’s office of the emergency dispensing, as required by the board by rule.

4. An emergency supply may not be dispensed pursuant to this section if the pharmacist has knowledge that the prescriber has otherwise prohibited or restricted emergency dispensing for the applicable patient.

5. The determination to dispense an emergency supply of medication under this section shall only be made by a pharmacist licensed by the board.

6. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule

proposed or adopted after August 28, 2013, shall be invalid and void.

338.202. 1. Notwithstanding any other provision of law to the contrary, unless the prescriber has specified on the prescription that dispensing a prescription for a maintenance medication in an initial amount followed by periodic refills is medically necessary, a pharmacist may exercise his or her professional judgment to dispense varying quantities of maintenance medication per fill up to the total number of dosage units as authorized by the prescriber on the original prescription, including any refills. Dispensing of the maintenance medication based on refills authorized by the prescriber on the prescription shall be limited to no more than a ninety-day supply of the medication, and the maintenance medication shall have been previously prescribed to the patient for at least a three-month period.

2. For the purposes of this section “maintenance medication” is a medication prescribed for chronic, long-term conditions and is taken on a regular, recurring basis, except that it shall not include controlled substances as defined in section 195.010.

376.379. 1. A health carrier or managed care plan offering a health benefit plan in this state that provides prescription drug coverage shall offer, as part of the plan, medication synchronization services developed by the health carrier or managed care plan that allow for the alignment of refill dates for an enrollee’s prescription drugs that are covered benefits.

2. Under its medication synchronization services, a health carrier or managed care plan shall:

(1) Not charge an amount in excess of the otherwise applicable co-payment amount under the health benefit plan for dispensing a prescription drug in a quantity that is less than the prescribed amount if:

(a) The pharmacy dispenses the prescription drug in accordance with the medication synchronization services offered under the health benefit plan; and

(b) A participating provider dispenses the prescription drug; and

(2) Provide a full dispensing fee to the pharmacy that dispenses the prescription drug to the covered person.

3. For purposes of this section, the terms “health carrier”, “managed care plan”, “health benefit plan”, “enrollee”, and “participating provider” shall have the same meanings given to such terms under section 376.1350.

376.388. 1. As used in this section, unless the context requires otherwise, the following terms shall mean:

(1) “Contracted pharmacy” or “pharmacy”, a pharmacy located in Missouri participating in the network of a pharmacy benefits manager through a direct or indirect contract;

(2) “Health carrier”, an entity subject to the insurance laws and regulations of this state that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits, or health services, except that such plan shall not include any

coverage pursuant to a liability insurance policy, workers' compensation insurance policy, or medical payments insurance issued as a supplement to a liability policy;

(3) "Maximum allowable cost", the per unit amount that a pharmacy benefits manager reimburses a pharmacist for a prescription drug, excluding a dispensing or professional fee;

(4) "Maximum allowable cost list" or "MAC list", a listing of drug products that meet the standard described in this section;

(5) "Pharmacy", as such term is defined in chapter 338;

(6) "Pharmacy benefits manager", an entity that contracts with pharmacies on behalf of health carriers or any health plan sponsored by the state or a political subdivision of the state.

2. Upon each contract execution or renewal between a pharmacy benefits manager and a pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, a pharmacy benefits manager shall, with respect to such contract or renewal:

(1) Include in such contract or renewal the sources utilized to determine maximum allowable cost and update such pricing information at least every seven days; and

(2) Maintain a procedure to eliminate products from the maximum allowable cost list of drugs subject to such pricing or modify maximum allowable cost pricing at least every seven days, if such drugs do not meet the standards and requirements of this section, in order to remain consistent with pricing changes in the marketplace.

3. A pharmacy benefits manager shall reimburse pharmacies for drugs subject to maximum allowable cost pricing that has been updated to reflect market pricing at least every seven days as set forth under subdivision (1) of subsection 2 of this section.

4. A pharmacy benefits manager shall not place a drug on a maximum allowable cost list unless there are at least two therapeutically equivalent multisource generic drugs, or at least one generic drug available from at least one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers.

5. All contracts between a pharmacy benefits manager and a contracted pharmacy or between a pharmacy benefits manager and a pharmacy's contracting representative or agent, such as a pharmacy services administrative organization, shall include a process to internally appeal, investigate, and resolve disputes regarding maximum allowable cost pricing. The process shall include the following:

(1) The right to appeal shall be limited to fourteen calendar days following the reimbursement of the initial claim; and

(2) A requirement that the pharmacy benefits manager shall respond to an appeal described in this subsection no later than fourteen calendar days after the date the appeal was received by such pharmacy benefits manager.

6. For appeals that are denied, the pharmacy benefits manager shall provide the reason for the denial and identify the national drug code of a drug product that may be purchased by contracted

pharmacies at a price at or below the maximum allowable cost and, when applicable, may be substituted lawfully.

7. If the appeal is successful, the pharmacy benefits manager shall:

(1) Adjust the maximum allowable cost price that is the subject of the appeal effective on the day after the date the appeal is decided;

(2) Apply the adjusted maximum allowable cost price to all similarly situated pharmacies as determined by the pharmacy benefits manager; and

(3) Allow the pharmacy that succeeded in the appeal to reverse and rebill the pharmacy benefits claim giving rise to the appeal.

8. Appeals shall be upheld if:

(1) The pharmacy being reimbursed for the drug subject to the maximum allowable cost pricing in question was not reimbursed as required under subsection 3 of this section; or

(2) The drug subject to the maximum allowable cost pricing in question does not meet the requirements set forth under subsection 4 of this section.

376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. The provisions of this section shall terminate on January 1, [2017] **2020**.

Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the repeal and reenactment of section 197.315 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 4, Section

208.800, Line 3, by inserting after all of said line the following:

“376.525 The highest rate that a health care provider shall accept as payment in full for health care services from an uninsured individual or an individual not utilizing insurance to pay for such services shall be no greater than the lowest rate that the provider accepts from a health carrier or Medicare as payment in full for the same or similar health care services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 608, Page 2, Section 197.170, Line 53, by inserting after all of said section and line the following:

“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, **or any county of the third classification with a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat** may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Hospital District Sales Tax Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the

same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 635**, entitled:

An Act to repeal section 376.1235, RSMo, and to enact in lieu thereof sixteen new sections relating to health care.

With House Amendment Nos. 1, 2, 3, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment Nos. 8, 9, 10, 11, 12, 13, House Amendment No. 1 to House Amendment No. 14, and

House Amendment No. 14, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 635, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

“324.001. 1. For the purposes of this section, the following terms mean:

- (1) “Department”, the department of insurance, financial institutions and professional registration;
- (2) “Director”, the director of the division of professional registration; and
- (3) “Division”, the division of professional registration.

2. There is hereby established a “Division of Professional Registration” assigned to the department of insurance, financial institutions and professional registration as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

3. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board's records current. Each board or commission shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

4. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. “Issuance and renewal of licenses and certificates” means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant's qualifications for licensure or certification, or the subsequent review of licensee's or certificate holder's qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

5. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor's office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board's funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

6. For accounting purposes, the appropriation to the division and to the office of administration for the payment of rent for quarters provided for the division shall be made from the "Professional Registration Fees Fund", which is hereby created, and is to be used solely for the purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it from each board's fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection 5 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

7. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

8. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

9. Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

10. A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned

to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

11. (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of insurance,

financial institutions and professional registration. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

12. All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

13. Wherever the laws, rules, or regulations of this state make reference to the “division of professional registration of the department of economic development”, such references shall be deemed to refer to the division of professional registration.

14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state committee of psychologists, state board of chiropractic examiners, state board of optometry, Missouri board of occupational therapy, or state board of registration for the healing arts may individually or collectively enter into a contractual agreement with the department of health and senior services, a public institution of higher education, or a nonprofit entity for the purpose of collecting and analyzing workforce data from its licensees, registrants, or permit holders for future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri. The boards shall work collaboratively with other state governmental entities to ensure coordination and avoid duplication of efforts.

(2) The boards may expend appropriated funds necessary for operational expenses of the program formed under this subsection. Each board is authorized to accept grants to fund the collection or analysis authorized in this subsection. Any such funds shall be deposited in the respective board’s fund.

(3) Data collection shall be controlled and approved by the applicable state board conducting or requesting the collection. Notwithstanding the provisions of section 334.001, the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce including, but not limited to, geographic, demographic, and practice or professional characteristics of licensees. The state board shall not request or be authorized to collect income or other financial earnings data.

(4) Data collected under this subsection shall be deemed the property of the state board requesting the data. Data shall be maintained by the state board in accordance with chapter 610, provided that any information deemed closed or confidential under subsection 8 of this section or any other provision of state law shall not be disclosed without consent of the applicable licensee or entity or as otherwise authorized by law. Data shall only be released in an aggregate form by geography, profession or professional specialization, or population characteristic in a manner that cannot be used to identify a specific individual or entity. Data suppression standards shall be addressed and established in the contractual agreement.

(5) Contractors shall maintain the security and confidentiality of data received or collected under this subsection and shall not use, disclose, or release any data without approval of the applicable state board. The contractual agreement between the applicable state board and contractor shall establish a data release and research review policy to include legal and institutional review board, or agency equivalent, approval.

(6) Each board may promulgate rules subject to the provisions of this subsection and chapter 536 to effectuate and implement the workforce data collection and analysis authorized by this subsection.

Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 635, Page 19, Section 376.1235, Line 18, by inserting after all of said section and line the following:

“376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months’ or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. The provisions of this section shall terminate on January 1, [2017] **2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 635, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

“197.258. 1. In addition to any survey pursuant to sections 197.250 to 197.280, the department may make such surveys as it deems necessary during normal business hours. The department shall survey every hospice not less than [once annually] **every three years**. The hospice shall permit the department’s representatives to enter upon any of its business premises during normal business hours for the purpose of a survey.

2. As a part of its survey of a hospice, the department may visit the home of any client of such hospice with such client’s consent.

3. In lieu of any survey required by sections 197.250 to 197.280, the department may accept in whole or in part the survey of any state or federal agency, or of any professional accrediting agency, if such survey:

- (1) Is comparable in scope and method to the department's surveys; and
- (2) Is conducted within one year of initial application for or renewal of the hospice's certificate.

4. The department shall not be required to survey any hospice providing service to Missouri residents through an office located in a state bordering Missouri if such bordering state has a reciprocal agreement with Missouri on hospice certification and the area served in Missouri by the agency is contiguous to the area served in the bordering state.

5. Any hospice which has its parent office in a state which does not have a reciprocal agreement with Missouri on hospice certification shall maintain a branch office in Missouri. Such branch office shall maintain all records required by the department for survey and shall be certificated as a hospice.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital's funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.

167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices; [and]**

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention**, unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education.""; and

Further amend said bill, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

"197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make

payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout

the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; **or**

(2) **Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.**

198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined.”; and

Further amend said bill, Page 19, Section 334.1233, Line 10, by inserting after all of said section and line the following:

“338.200. 1. In the event a pharmacist is unable to obtain refill authorization from the prescriber due to death, incapacity, or when the pharmacist is unable to obtain refill authorization from the prescriber, a pharmacist may dispense an emergency supply of medication if:

(1) In the pharmacist’s professional judgment, interruption of therapy might reasonably produce undesirable health consequences;

(2) The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;

(3) The medication dispensed is not a controlled substance;

(4) The pharmacist informs the patient or the patient’s agent either verbally, electronically, or in writing at the time of dispensing that authorization of a prescriber is required for future refills; and

(5) The pharmacist documents the emergency dispensing in the patient’s prescription record, as provided by the board by rule.

2. (1) If the pharmacist is unable to obtain refill authorization from the prescriber, the amount dispensed shall be limited to the amount determined by the pharmacist within his or her professional judgment as needed for the emergency period, provided the amount dispensed shall not exceed a seven-day supply.

(2) In the event of prescriber death or incapacity or inability of the prescriber to provide medical services, the amount dispensed shall not exceed a thirty-day supply.

3. Pharmacists or permit holders dispensing an emergency supply pursuant to this section shall promptly notify the prescriber or the prescriber’s office of the emergency dispensing, as required by the board by rule.

4. An emergency supply may not be dispensed pursuant to this section if the pharmacist has knowledge that the prescriber has otherwise prohibited or restricted emergency dispensing for the applicable patient.

5. The determination to dispense an emergency supply of medication under this section shall only be made by a pharmacist licensed by the board.

6. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

338.202. 1. Notwithstanding any other provision of law to the contrary, unless the prescriber has specified on the prescription that dispensing a prescription for a maintenance medication in an initial amount followed by periodic refills is medically necessary, a pharmacist may exercise his or her professional judgment to dispense varying quantities of maintenance medication per fill up to the total number of dosage units as authorized by the prescriber on the original prescription, including any refills. Dispensing of the maintenance medication based on refills authorized by the prescriber on the prescription shall be limited to no more than a ninety-day supply of the medication, and the maintenance medication shall have been previously prescribed to the patient for at least a three-month period.

2. For the purposes of this section “maintenance medication” is a medication prescribed for chronic, long-term conditions and is taken on a regular, recurring basis, except that it shall not include controlled substances as defined in section 195.010.

376.379. 1. A health carrier or managed care plan offering a health benefit plan in this state that provides prescription drug coverage shall offer, as part of the plan, medication synchronization services developed by the health carrier or managed care plan that allow for the alignment of refill dates for an enrollee’s prescription drugs that are covered benefits.

2. Under its medication synchronization services, a health carrier or managed care plan shall:

(1) Not charge an amount in excess of the otherwise applicable co-payment amount under the health benefit plan for dispensing a prescription drug in a quantity that is less than the prescribed amount if:

(a) The pharmacy dispenses the prescription drug in accordance with the medication synchronization services offered under the health benefit plan; and

(b) A participating provider dispenses the prescription drug; and

(2) Provide a full dispensing fee to the pharmacy that dispenses the prescription drug to the covered person.

3. For purposes of this section, the terms “health carrier”, “managed care plan”, “health benefit plan”, “enrollee”, and “participating provider” shall have the same meanings given to such terms under section 376.1350.

376.388. 1. As used in this section, unless the context requires otherwise, the following terms shall mean:

(1) “Contracted pharmacy” or “pharmacy”, a pharmacy located in Missouri participating in the network of a pharmacy benefits manager through a direct or indirect contract;

(2) “Health carrier”, an entity subject to the insurance laws and regulations of this state that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services, including a sickness and accident insurance company, a health maintenance organization, a nonprofit hospital and health service corporation, or any other entity providing a plan of health insurance, health benefits, or health services, except that such plan shall not include any coverage pursuant to a liability insurance policy, workers’ compensation insurance policy, or medical payments insurance issued as a supplement to a liability policy;

(3) “Maximum allowable cost”, the per unit amount that a pharmacy benefits manager reimburses a pharmacist for a prescription drug, excluding a dispensing or professional fee;

(4) “Maximum allowable cost list” or “MAC list”, a listing of drug products that meet the standard described in this section;

(5) “Pharmacy”, as such term is defined in chapter 338;

(6) “Pharmacy benefits manager”, an entity that contracts with pharmacies on behalf of health carriers or any health plan sponsored by the state or a political subdivision of the state.

2. Upon each contract execution or renewal between a pharmacy benefits manager and a pharmacy or between a pharmacy benefits manager and a pharmacy’s contracting representative or agent, such as a pharmacy services administrative organization, a pharmacy benefits manager shall, with respect to such contract or renewal:

(1) Include in such contract or renewal the sources utilized to determine maximum allowable cost and update such pricing information at least every seven days; and

(2) Maintain a procedure to eliminate products from the maximum allowable cost list of drugs subject to such pricing or modify maximum allowable cost pricing at least every seven days, if such drugs do not meet the standards and requirements of this section, in order to remain consistent with pricing changes in the marketplace.

3. A pharmacy benefits manager shall reimburse pharmacies for drugs subject to maximum allowable cost pricing that has been updated to reflect market pricing at least every seven days as set forth under subdivision (1) of subsection 2 of this section.

4. A pharmacy benefits manager shall not place a drug on a maximum allowable cost list unless there are at least two therapeutically equivalent multisource generic drugs, or at least one generic drug available from at least one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers.

5. All contracts between a pharmacy benefits manager and a contracted pharmacy or between a pharmacy benefits manager and a pharmacy’s contracting representative or agent, such as a pharmacy services administrative organization, shall include a process to internally appeal,

investigate, and resolve disputes regarding maximum allowable cost pricing. The process shall include the following:

(1) The right to appeal shall be limited to fourteen calendar days following the reimbursement of the initial claim; and

(2) A requirement that the pharmacy benefits manager shall respond to an appeal described in this subsection no later than fourteen calendar days after the date the appeal was received by such pharmacy benefits manager.

6. For appeals that are denied, the pharmacy benefits manager shall provide the reason for the denial and identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost and, when applicable, may be substituted lawfully.

7. If the appeal is successful, the pharmacy benefits manager shall:

(1) Adjust the maximum allowable cost price that is the subject of the appeal effective on the day after the date the appeal is decided;

(2) Apply the adjusted maximum allowable cost price to all similarly situated pharmacies as determined by the pharmacy benefits manager; and

(3) Allow the pharmacy that succeeded in the appeal to reverse and rebill the pharmacy benefits claim giving rise to the appeal.

8. Appeals shall be upheld if:

(1) The pharmacy being reimbursed for the drug subject to the maximum allowable cost pricing in question was not reimbursed as required under subsection 3 of this section; or

(2) The drug subject to the maximum allowable cost pricing in question does not meet the requirements set forth under subsection 4 of this section.”; and

Further amend said bill and page, Section 376.1235, Line 18, by inserting after all of said section and line the following:

“376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only,

Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. The provisions of this section shall terminate on January 1, [2017] **2020**.

Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the repeal and reenactment of section 197.315 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 635, Page 19, Section 334.1233, Line 10, by inserting after all of said section and line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; **the prescribing and dispensing of self-administered oral hormonal contraceptives under section 338.660**; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only,

and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary

medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered. 13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

(1) The identity of the patient;

(2) The identity of the vaccine or vaccines administered;

(3) The route of administration;

(4) The anatomic site of the administration;

(5) The dose administered; and

(6) The date of administration.

338.660. 1. For purposes of this chapter, "self-administered oral hormonal contraceptive" shall mean a drug composed of a combination of hormones that is approved by the Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may take orally.

2. A pharmacist may prescribe and dispense self-administered oral hormonal contraceptives to a person who is:

(1) Eighteen years of age or older, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive; or

(2) Under eighteen years of age, if the person has evidence of a previous prescription from a primary care practitioner or women's health care practitioner for a self-administered oral hormonal contraceptive.

3. The board of pharmacy shall adopt rules, in consultation with the board of registration for the healing arts, board of nursing, and department of health and senior services, and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, to establish standard procedures for the prescribing of self-administered oral hormonal contraceptives by pharmacists. The board of pharmacy shall adopt rules and regulations to implement the provisions

of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

4. The rules adopted under this section shall require a pharmacist to:

(1) Complete a training program approved by the board of pharmacy that is related to prescribing self-administered oral hormonal contraceptives;

(2) Provide a self-screening risk assessment tool that the patient shall use prior to the pharmacist's prescribing the self-administered oral hormonal contraceptive;

(3) Refer the patient to the patient's primary care practitioner or women's health care practitioner upon prescribing and dispensing the self-administered oral hormonal contraceptive;

(4) Provide the patient with a written record of the self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women's health care practitioner; and

(5) Dispense the self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

5. The rules adopted under this section shall prohibit a pharmacist from:

(1) Requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a self-administered oral hormonal contraceptive; and

(2) Prescribing and dispensing a self-administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following the initial prescription and dispensation of a self-administered oral hormonal contraceptive by a pharmacist to the patient.

6. All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services shall apply to self-administered oral hormonal contraceptives prescribed by a pharmacist under this section.”; and

Further amend said bill and page, Section 376.1235, Lines 18, by inserting after all of said section and line the following:

“376.1240. 1. For purposes of this section, the terms “health carrier” and “health benefit plan” shall have the same meaning as defined in section 376.1350. The term “prescription contraceptive” shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2017, and that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care

provider or dispensing entity for a dispensing of prescription contraceptives intended to last for a:

(1) Three-month period for the first dispensing of the prescription contraceptive to an insured; and

(2) Twelve-month period for subsequent dispensations of the same contraceptive to the insured regardless of whether the insured was enrolled in the health benefit plan or policy at the time of the first dispensing.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 635, Page 2, Lines 16-48, Page 3, Lines 1-48, Page 4, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties; any such support involving monetary expenses shall first be approved by the chairman of the joint committee on education. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, joint committee on education, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services.

3. The task force shall be comprised of twenty members consisting of the following:

(1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;

(2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;

(3) The commissioner of education, or his or her designee;

(4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(5) A representative from a state teachers association or the Missouri National Education Association;

(6) A representative from the International Dyslexia Association of Missouri;

(7) A representative from Decoding Dyslexia of Missouri;

(8) A representative from the Missouri Association of Elementary School Principals;

(9) A representative from the Missouri Council of Administrators of Special Education;

(10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association;

(12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(15) One private citizen who has a child who has been diagnosed with dyslexia;

(16) One private citizen who has been diagnosed with dyslexia;

(17) A representative of the Missouri State Council of the International Reading Association; and

(18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, including the development of

resource materials and professional development activities. These recommendations shall be included in a report to the governor and joint committee on education and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and joint committee on education.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall expire on August 31, 2018.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.

(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the findings and recommendations of the task force created under section 633.420.

(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the findings and recommendations of the task force created under section 633.420.

2. In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter schools may seek assistance from the department of elementary and secondary education in developing and providing such training. Completion of such training shall count as two contact hours of professional development under section 168.021.

3. For purposes of this section, the following terms mean:

(1) “Dyslexia”, a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary;

(2) “Dyslexia screening”, a short test conducted by a teacher or school counselor to determine whether a student likely has dyslexia or a related disorder in which a positive result does not represent a medical diagnosis but indicates that the student could benefit from approved support;

(3) “Related disorders”, disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability;

(4) “Support”, low-cost and effective best practices, such as oral examinations and extended test-taking periods, used to support students who have dyslexia or any related disorder.

4. The state board of education shall promulgate rules and regulations for each public school to screen students for dyslexia and related disorders. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

5. Nothing in this section shall require the MO HealthNet program to expand the services that it provides.”; and

Further amend said bill, Page 19, Section 376.1235, Line 18, by inserting immediately after said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services.

3. The task force shall be comprised of twenty members consisting of the following:

(1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;

(2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;

(3) The commissioner of education, or his or her designee;

(4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(5) A representative from a state teachers association or the Missouri National Education Association;

(6) A representative from the International Dyslexia Association of Missouri;

(7) A representative from Decoding Dyslexia of Missouri;

(8) A representative from the Missouri Association of Elementary School Principals;

(9) A representative from the Missouri Council of Administrators of Special Education;

(10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham

remediation program recommended by the Missouri Speech-Language Hearing Association;

(12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(15) One private citizen who has a child who has been diagnosed with dyslexia;

(16) One private citizen who has been diagnosed with dyslexia;

(17) A representative of the Missouri State Council of the International Reading Association; and

(18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and joint committee on education and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting. The task force shall hold its first meeting before October 1, 2016.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall expire on August 31, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-four** dollars and [eighty-two] **fifty-seven** cents plus copying in the amount of [fifty-three] **fifty-six** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed [twenty-one dollars and thirty-six cents,] **twenty-three dollars** as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **seven** dollars **and sixty-seven cents** total, whichever is less, if such person:

a. Requests health records to be delivered electronically in a format of the health care provider's choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

6. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, the deceased prior to death did not specifically object to disclosure of his or her records in writing, and such disclosure is not inconsistent with any prior expressed preference of the deceased that is known to the health care provider, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:

(1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;

(2) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;

(3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;

(4) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;

(5) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased;
or

(6) A guardian ad litem of the deceased's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the deceased.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 635, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

“197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.

2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.

3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:

(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or

(2) The hospital has used other standards that provide for equivalent design criteria.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill, Page 19, Section 376.1235, Line 18, by inserting after all of said section and line the following:

“536.031. 1. There is established a publication to be known as the “Code of State Regulations”, which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.

2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect

upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general's opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.

3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written format upon request.

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“170.310. 1. For school year 2017-18 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received thirty minutes of cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking given any time during a pupil’s four years of high school.

2. Beginning in school year 2017-18, any public school or charter school serving grades nine through twelve [may] shall provide enrolled students instruction in cardiopulmonary resuscitation. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. [Instruction may be embedded in any health education course] Instruction shall be included in the district’s existing health or physical

education curriculum. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, “psychomotor skills” means the use of hands-on practicing and skills testing to support cognitive learning.

[2.] **3.** The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

[3.] **4.** The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 635, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, **or any county of the third classification with a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat** may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question,

then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 635, Page 19, Section 376.1235, Line 18, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(2) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is

licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician’s designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient’s personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally

appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care

provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and

communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 635, Page 3, Section 191.1085, Line 35, by inserting immediately after all of said section and line the following:

“192.2490. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

- (1) Whether the person acted recklessly or knowingly, as defined in chapter 562;
- (2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;
- (3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;
- (4) Whether the person has previously been listed on the employee disqualification list;
- (5) Any mitigating circumstances;
- (6) Any aggravating circumstances; and
- (7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

- (1) Is licensed as an operator under chapter 198;
- (2) Provides in-home services under contract with the department of social services or its divisions;
- (3) Employs [nurses and nursing assistants] **health care providers as defined in section 376.1350** for temporary or intermittent placement in health care facilities;
- (4) Is approved by the department to issue certificates for nursing assistants training;
- (5) Is an entity licensed under chapter 197;
- (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or
- (7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in [subdivisions (1), (2), (5), or (6) of] this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in [subdivisions (1), (2), (5), or (6) of] this subsection when the entity is fulfilling its duties required under this section.

The information shall be disclosed only to the requesting entity. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation,

organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 192.2400 required to deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 192.2495;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 192.2495, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 192.2495. 14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal.

192.2495. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:

(1) Is licensed as an operator pursuant to chapter 198;

- (2) Provides in-home services under contract with the department of social services or its divisions;
- (3) Employs [nurses or nursing assistants] **health care providers as defined in section 376.1350** for temporary or intermittent placement in health care facilities;
- (4) Is an entity licensed pursuant to chapter 197;
- (5) Is a public or private facility, day program, residential facility or specialized service operated, funded or licensed by the department of mental health; or
- (6) Is a licensed adult day care provider.

2. For the purpose of this section “patient or resident” has the same meaning as such term is defined in section 43.540.

3. Prior to allowing any person who has been hired as a full-time, part-time or temporary position to have contact with any patient or resident the provider shall, or in the case of temporary employees hired through or contracted for an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a criminal background check as provided in section 43.540. Completion of an inquiry to the highway patrol for criminal records that are available for disclosure to a provider for the purpose of conducting an employee criminal records background check shall be deemed to fulfill the provider’s duty to conduct employee criminal background checks pursuant to this section; except that, completing the inquiries pursuant to this subsection shall not be construed to exempt a provider from further inquiry pursuant to common law requirements governing due diligence. If an applicant has not resided in this state for five consecutive years prior to the date of his or her application for employment, the provider shall request a nationwide check for the purpose of determining if the applicant has a prior criminal history in other states. The fingerprint cards and any required fees shall be sent to the highway patrol’s central repository. The first set of fingerprints shall be used for searching the state repository of criminal history information. If no identification is made, the second set of fingerprints shall be forwarded to the Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal history files. The patrol shall notify the submitting state agency of any criminal history information or lack of criminal history information discovered on the individual. The provisions relating to applicants for employment who have not resided in this state for five consecutive years shall apply only to persons who have no employment history with a licensed Missouri facility during that five-year period. Notwithstanding the provisions of section 610.120, all records related to any criminal history information discovered shall be accessible and available to the provider making the record request; and

(2) Make an inquiry to the department of health and senior services whether the person is listed on the employee disqualification list as provided in section 192.2490.

4. When the provider requests a criminal background check pursuant to section 43.540, the requesting entity may require that the applicant reimburse the provider for the cost of such record check. When a provider requests a nationwide criminal background check pursuant to subdivision (1) of subsection 3 of this section, the total cost to the provider of any background check required pursuant to this section shall not exceed five dollars which shall be paid to the state. State funding and the obligation of a provider to obtain a nationwide criminal background check shall be subject to the availability of appropriations.

5. An applicant for a position to have contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540 so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole; [and]

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 192.2490; **and**

(4) Disclose if the applicant is listed on any of the background checks in the family care safety registry established under section 210.903. A provider not otherwise prohibited from employing an individual listed on such background checks may deny employment to an individual listed on any of the background checks in such registry.

6. An applicant who knowingly fails to disclose his or her criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider knowingly hires or retains a person to have contact with patients or residents and the person has been found guilty in this state or any other state or has been found guilty of a crime, which if committed in Missouri would be a class A or B felony violation of chapter 565, 566 or 569, or any violation of subsection 3 of section 198.070 or section 568.020.

7. Any in-home services provider agency or home health agency shall be guilty of a class A misdemeanor if such agency knowingly employs a person to provide in-home services or home health services to any in-home services client or home health patient and such person either refuses to register with the family care safety registry or is listed on any of the background check lists in the family care safety registry pursuant to sections 210.900 to 210.937.

8. The highway patrol shall examine whether protocols can be developed to allow a provider to request a statewide fingerprint criminal records review check through local law enforcement agencies.

9. A provider may use a private investigatory agency rather than the highway patrol to do a criminal history records review check, and alternatively, the applicant pays the private investigatory agency such fees as the provider and such agency shall agree.

10. Except for the hiring restriction based on the department of health and senior services employee disqualification list established pursuant to section 192.2490, the department of health and senior services shall promulgate rules and regulations to waive the hiring restrictions pursuant to this section for good cause. For purposes of this section, "good cause" means the department has made a determination by examining the employee's prior work history and other relevant factors that such employee does not present a risk to the health or safety of residents."; and

Further amend said bill, Page 19, Section 334.1233, Line 10, by inserting immediately after all of said section and line the following:

"335.360. 1. The party states find that:

(1) The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;

(2) Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;

(3) The expanded mobility of nurses and the use of advanced communication technologies as part of our nation's health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;

(4) New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;

(5) The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states; and

(6) Uniformity of nurse licensure requirements throughout the states promotes public safety and public health benefits.

2. The general purposes of this compact are to:

(1) Facilitate the states' responsibility to protect the public's health and safety;

(2) Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;

(3) Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions;

(4) Promote compliance with the laws governing the practice of nursing in each jurisdiction;

(5) Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;

(6) Decrease redundancies in the consideration and issuance of nurse licenses; and

(7) Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

335.365. As used in this compact, the following terms shall mean:

(1) "Adverse action", any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a nurse, including actions against an individual's license or multistate licensure privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a nurse's authorization to practice, including issuance of a cease and desist action;

(2) "Alternative program", a nondisciplinary monitoring program approved by a licensing board;

(3) "Coordinated licensure information system", an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that

is administered by a nonprofit organization composed of and controlled by licensing boards;

(4) “Current significant investigative information”:

(a) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

(b) Investigative information that indicates that the nurse represents an immediate threat to public health and safety, regardless of whether the nurse has been notified and had an opportunity to respond;

(5) “Encumbrance”, a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board;

(6) “Home state”, the party state which is the nurse’s primary state of residence;

(7) “Licensing board”, a party state’s regulatory body responsible for issuing nurse licenses;

(8) “Multistate license”, a license to practice as a registered nurse, “RN”, or a licensed practical or vocational nurse, “LPN” or “VN”, issued by a home state licensing board that authorizes the licensed nurse to practice in all party states under a multistate licensure privilege;

(9) “Multistate licensure privilege”, a legal authorization associated with a multistate license permitting the practice of nursing as either an RN, LPN, or VN in a remote state;

(10) “Nurse”, an RN, LPN, or VN, as those terms are defined by each party state’s practice laws;

(11) “Party state”, any state that has adopted this compact;

(12) “Remote state”, a party state, other than the home state;

(13) “Single-state license”, a nurse license issued by a party state that authorizes practice only within the issuing state and does not include a multistate licensure privilege to practice in any other party state;

(14) “State”, a state, territory, or possession of the United States and the District of Columbia;

(15) “State practice laws”, a party state’s laws, rules, and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. State practice laws do not include requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

335.370. 1. A multistate license to practice registered or licensed practical or vocational nursing issued by a home state to a resident in that state shall be recognized by each party state as authorizing a nurse to practice as a registered nurse, “RN”, or as a licensed practical or vocational nurse, “LPN” or “VN”, under a multistate licensure privilege, in each party state.

2. A state must implement procedures for considering the criminal history records of applicants for initial multistate license or licensure by endorsement. Such procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of

Investigation and the agency responsible for retaining that state's criminal records.

3. Each party state shall require the following for an applicant to obtain or retain a multistate license in the home state:

(1) Meets the home state's qualifications for licensure or renewal of licensure as well as all other applicable state laws;

(2) (a) Has graduated or is eligible to graduate from a licensing board-approved RN or LPN or VN prelicensure education program; or

(b) Has graduated from a foreign RN or LPN or VN prelicensure education program that has been approved by the authorized accrediting body in the applicable country and has been verified by an independent credentials review agency to be comparable to a licensing board-approved prelicensure education program;

(3) Has, if a graduate of a foreign prelicensure education program not taught in English or if English is not the individual's native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing, and listening;

(4) Has successfully passed an NCLEX-RN or NCLEX-PN examination or recognized predecessor, as applicable;

(5) Is eligible for or holds an active, unencumbered license;

(6) Has submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;

(7) Has not been convicted or found guilty, or has entered into an agreed disposition, of a felony offense under applicable state or federal criminal law;

(8) Has not been convicted or found guilty, or has entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis;

(9) Is not currently enrolled in an alternative program;

(10) Is subject to self-disclosure requirements regarding current participation in an alternative program; and

(11) Has a valid United States Social Security number.

4. All party states shall be authorized, in accordance with existing state due process law, to take adverse action against a nurse's multistate licensure privilege such as revocation, suspension, probation, or any other action that affects a nurse's authorization to practice under a multistate licensure privilege, including cease and desist actions. If a party state takes such action, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.

5. A nurse practicing in a party state shall comply with the state practice laws of the state in which

the client is located at the time service is provided. The practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of the party state in which the client is located. The practice of nursing in a party state under a multistate licensure privilege shall subject a nurse to the jurisdiction of the licensing board, the courts, and the laws of the party state in which the client is located at the time service is provided.

6. Individuals not residing in a party state shall continue to be able to apply for a party state's single-state license as provided under the laws of each party state. However, the single-state license granted to these individuals shall not be recognized as granting the privilege to practice nursing in any other party state. Nothing in this compact shall affect the requirements established by a party state for the issuance of a single-state license.

7. Any nurse holding a home state multistate license on the effective date of this compact may retain and renew the multistate license issued by the nurse's then current home state, provided that:

(1) A nurse who changes primary state of residence after this compact's effective date shall meet all applicable requirements as provided in subsection 3 of this section to obtain a multistate license from a new home state;

(2) A nurse who fails to satisfy the multistate licensure requirements in subsection 3 of this section due to a disqualifying event occurring after this compact's effective date shall be ineligible to retain or renew a multistate license, and the nurse's multistate license shall be revoked or deactivated in accordance with applicable rules adopted by the Interstate Commission of Nurse Licensure Compact Administrators, commission.

335.375. 1. Upon application for a multistate license, the licensing board in the issuing party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or multistate licensure privilege held by the applicant, whether any adverse action has been taken against any license or multistate licensure privilege held by the applicant, and whether the applicant is currently participating in an alternative program.

2. A nurse shall hold a multistate license, issued by the home state, in only one party state at a time.

3. If a nurse changes primary state of residence by moving between two party states, the nurse shall apply for licensure in the new home state, and the multistate license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the commission.

(1) The nurse may apply for licensure in advance of a change in primary state of residence.

(2) A multistate license shall not be issued by the new home state until the nurse provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a multistate license from the new home state.

4. If a nurse changes primary state of residence by moving from a party state to a non-party state, the multistate license issued by the prior home state shall convert to a single-state license, valid only in the former home state.

335.380. 1. In addition to the other powers conferred by state law, a licensing board shall have the

authority to:

(1) Take adverse action against a nurse's multistate licensure privilege to practice within that party state;

(a) Only the home state shall have the power to take adverse action against a nurse's license issued by the home state;

(b) For purposes of taking adverse action, the home state licensing board shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action;

(2) Issue cease and desist orders or impose an encumbrance on a nurse's authority to practice within that party state;

(3) Complete any pending investigations of a nurse who changes primary state of residence during the course of such investigations. The licensing board shall also have the authority to take appropriate action and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any such actions;

(4) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a party state for the attendance and testimony of witnesses or the production of evidence from another party state shall be enforced in the latter state by any court of competent jurisdiction according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located;

(5) Obtain and submit, for each nurse licensure applicant, fingerprint or other biometric based information to the Federal Bureau of Investigation for criminal background checks, receive the results of the Federal Bureau of Investigation record search on criminal background checks, and use the results in making licensure decisions;

(6) If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse; and

(7) Take adverse action based on the factual findings of the remote state; provided that, the licensing board follows its own procedures for taking such adverse action.

2. If adverse action is taken by the home state against a nurse's multistate license, the nurse's multistate licensure privilege to practice in all other party states shall be deactivated until all encumbrances have been removed from the multistate license. All home state disciplinary orders that impose adverse action against a nurse's multistate license shall include a statement that the nurse's multistate licensure privilege is deactivated in all party states during the pendency of the order.

3. Nothing in this compact shall override a party state's decision that participation in an alternative program may be used in lieu of adverse action. The home state licensing board shall deactivate the multistate licensure privilege under the multistate license of any nurse for the duration

of the nurse's participation in an alternative program.

335.385. 1. All party states shall participate in a coordinated licensure information system of all licensed registered nurses, "RNs", and licensed practical or vocational nurses, "LPNs" or "VNs". This system shall include information on the licensure and disciplinary history of each nurse, as submitted by party states, to assist in the coordination of nurse licensure and enforcement efforts.

2. The commission, in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.

3. All licensing boards shall promptly report to the coordinated licensure information system any adverse action, any current significant investigative information, denials of applications with the reasons for such denials, and nurse participation in alternative programs known to the licensing board regardless of whether such participation is deemed nonpublic or confidential under state law.

4. Current significant investigative information and participation in nonpublic or confidential alternative programs shall be transmitted through the coordinated licensure information system only to party state licensing boards.

5. Notwithstanding any other provision of law, all party state licensing boards contributing information to the coordinated licensure information system may designate information that shall not be shared with non-party states or disclosed to other entities or individuals without the express permission of the contributing state.

6. Any personally identifiable information obtained from the coordinated licensure information system by a party state licensing board shall not be shared with non-party states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

7. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.

8. The compact administrator of each party state shall furnish a uniform data set to the compact administrator of each other party state, which shall include, at a minimum:

(1) Identifying information;

(2) Licensure data;

(3) Information related to alternative program participation; and

(4) Other information that may facilitate the administration of this compact, as determined by commission rules.

9. The compact administrator of a party state shall provide all investigative documents and information requested by another party state.

335.390. 1. The party states hereby create and establish a joint public entity known as the "Interstate Commission of Nurse Licensure Compact Administrators".

(1) The commission is an instrumentality of the party states.

(2) Venue is proper, and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. (1) Each party state shall have and be limited to one administrator. The head of the state licensing board or designee shall be the administrator of this compact for each party state. Any administrator may be removed or suspended from office as provided by the law of the state from which the administrator is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the party state in which the vacancy exists.

(2) Each administrator shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. An administrator shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for an administrator's participation in meetings by telephone or other means of communication.

(3) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws or rules of the commission.

(4) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 335.395.

(5) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a party state with its obligations under this compact;

(b) The employment, compensation, discipline, or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any reports prepared by or on behalf of the commission for the purpose of investigation of compliance with this compact; or

(j) Matters specifically exempted from disclosure by federal or state statute.

(6) If a meeting, or portion of a meeting, is closed pursuant to subdivision (5) of this subsection, the commission's legal counsel or designee shall certify that the meeting shall be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the administrators, prescribe bylaws or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of this compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the administrators vote to close a meeting in whole or in part. As soon as practicable, the commission must make public a copy of the vote to close the meeting revealing the vote of each administrator, with no proxy votes allowed;

(4) Establishing the titles, duties, and authority and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any party state, the bylaws shall exclusively govern the personnel policies and programs of the commission; and

(6) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of this compact after the payment or reserving of all of its debts and obligations.

4. The commission shall publish its bylaws and rules, and any amendments thereto, in a convenient form on the website of the commission.

5. The commission shall maintain its financial records in accordance with the bylaws.

6. The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

7. The commission shall have the following powers:

(1) To promulgate uniform rules to facilitate and coordinate implementation and administration

of this compact. The rules shall have the force and effect of law and shall be binding in all party states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission; provided that, the standing of any licensing board to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel including, but not limited to, employees of a party state or nonprofit organizations;

(5) To cooperate with other organizations that administer state compacts related to the regulation of nursing including, but not limited to, sharing administrative or staff expenses, office space, or other resources;

(6) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(7) To accept any and all appropriate donations, grants and gifts of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that, at all times the commission shall avoid any appearance of impropriety or conflict of interest;

(8) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, whether real, personal, or mixed; provided that, at all times the commission shall avoid any appearance of impropriety;

(9) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, whether real, personal, or mixed;

(10) To establish a budget and make expenditures;

(11) To borrow money;

(12) To appoint committees, including advisory committees comprised of administrators, state nursing regulators, state legislators or their representatives, consumer representatives, and other such interested persons;

(13) To provide and receive information from, and to cooperate with, law enforcement agencies;

(14) To adopt and use an official seal; and

(15) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of nurse licensure and practice.

8. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may also levy on and collect an annual assessment from each party state to cover the cost of its operations, activities, and staff in its annual budget as approved each year. The aggregate annual assessment amount, if any, shall be allocated based upon a formula to be determined

by the commission, which shall promulgate a rule that is binding upon all party states.

(3) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the party states, except by and with the authority of such party state.

(4) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

9. (1) The administrators, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties, or responsibilities; provided that, nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any administrator, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any administrator, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of that person.

335.395. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment and shall have the same force and effect as provisions of this compact.

2. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

3. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule shall be considered and voted upon, the commission

shall file a notice of proposed rulemaking:

(1) On the website of the commission; and

(2) On the website of each licensing board or the publication in which each state would otherwise publish proposed rules.

4. The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting in which the rule shall be considered and voted upon;

(2) The text of the proposed rule or amendment, and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person;

(4) The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

5. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

6. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment.

7. The commission shall publish the place, time, and date of the scheduled public hearing.

(1) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. All hearings shall be recorded, and a copy shall be made available upon request.

(2) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

8. If no one appears at the public hearing, the commission may proceed with promulgation of the proposed rule.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all administrators, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing; provided that, the usual rulemaking procedures provided in this compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

(1) Meet an imminent threat to public health, safety, or welfare;

(2) Prevent a loss of commission or party state funds; or

(3) Meet a deadline for the promulgation of an administrative rule that is required by federal law or rule.

12. The commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision shall be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision shall not take effect without the approval of the commission.

335.400. 1. (1) Each party state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purposes and intent.

(2) The commission shall be entitled to receive service of process in any proceeding that may affect the powers, responsibilities, or actions of the commission, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process in such proceeding to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

2. (1) If the commission determines that a party state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) Provide written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default, or any other action to be taken by the commission; and

(b) Provide remedial training and specific technical assistance regarding the default.

(2) If a state in default fails to cure the default, the defaulting state's membership in this compact shall be terminated upon an affirmative vote of a majority of the administrators, and all rights, privileges, and benefits conferred by this compact shall be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(3) Termination of membership in this compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor of the defaulting state, to the executive officer of the defaulting state's licensing board, and each of the party states.

(4) A state whose membership in this compact has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(5) The commission shall not bear any costs related to a state that is found to be in default or whose membership in this compact has been terminated unless agreed upon in writing between the commission and the defaulting state.

(6) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district in which the commission has its

principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

3. (1) Upon request by a party state, the commission shall attempt to resolve disputes related to the compact that arise among party states and between party and non-party states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes, as appropriate.

(3) In the event the commission cannot resolve disputes among party states arising under this compact:

(a) The party states shall submit the issues in dispute to an arbitration panel, which shall be comprised of individuals appointed by the compact administrator in each of the affected party states and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute.

(b) The decision of a majority of the arbitrators shall be final and binding.

4. (1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(2) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district in which the commission has its principal offices against a party state that is in default to enforce compliance with the provisions of this compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(3) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

335.405. 1. This compact shall become effective and binding on the earlier of the date of legislative enactment of this compact into law by no less than twenty-six states or December 31, 2018. All party states to this compact that also were parties to the prior Nurse Licensure Compact superseded by this compact "prior compact" shall be deemed to have withdrawn from said prior compact within six months after the effective date of this compact.

2. Each party state to this compact shall continue to recognize a nurse's multistate licensure privilege to practice in that party state issued under the prior compact until such party state has withdrawn from the prior compact.

3. Any party state may withdraw from this compact by enacting a statute repealing the same. A party state's withdrawal shall not take effect until six months after enactment of the repealing statute.

4. A party state's withdrawal or termination shall not affect the continuing requirement of the withdrawing or terminated state's licensing board to report adverse actions and significant investigations occurring prior to the effective date of such withdrawal or termination.

5. Nothing contained in this compact shall be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a non-party state

that is made in accordance with the other provisions of this compact.

6. This compact may be amended by the party states. No amendment to this compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all party states.

7. Representatives of non-party states to this compact shall be invited to participate in the activities of the commission on a nonvoting basis prior to the adoption of this compact by all states.

335.410. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, this compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

335.415. 1. The term “head of the nurse licensing board” as referred to in section 335.390 of this compact shall mean the executive director of the Missouri state board of nursing.

2. This compact is designed to facilitate the regulation of nurses, and does not relieve employers from complying with statutorily imposed obligations.

3. This compact does not supersede existing state labor laws.”; and

Further amend said bill, Page 19, Section 376.1235, Line 18, by inserting immediately after all of said section and line the following:

“[335.300. 1. The party states find that:

(1) The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;

(2) Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;

(3) The expanded mobility of nurses and the use of advanced communication technologies as part of our nation’s health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;

(4) New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;

(5) The current system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant to both nurses and states.

2. The general purposes of this compact are to:

(1) Facilitate the states’ responsibility to protect the public’s health and safety;

(2) Ensure and encourage the cooperation of party states in the areas of nurse licensure and

regulation;

(3) Facilitate the exchange of information between party states in the areas of nurse regulation, investigation, and adverse actions;

(4) Promote compliance with the laws governing the practice of nursing in each jurisdiction;

(5) Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses.]

[335.305. As used in this compact, the following terms shall mean:

(1) “Adverse action”, a home or remote state action;

(2) “Alternative program”, a voluntary, nondisciplinary monitoring program approved by a nurse licensing board;

(3) “Coordinated licensure information system”, an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws, which is administered by a nonprofit organization composed of and controlled by state nurse licensing boards;

(4) “Current significant investigative information”:

(a) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

(b) Investigative information that indicates that the nurse represents an immediate threat to public health and safety regardless of whether the nurse has been notified and had an opportunity to respond;

(5) “Home state”, the party state that is the nurse’s primary state of residence;

(6) “Home state action”, any administrative, civil, equitable, or criminal action permitted by the home state’s laws that are imposed on a nurse by the home state’s licensing board or other authority including actions against an individual’s license such as: revocation, suspension, probation, or any other action affecting a nurse’s authorization to practice;

(7) “Licensing board”, a party state’s regulatory body responsible for issuing nurse licenses;

(8) “Multistate licensing privilege”, current, official authority from a remote state permitting the practice of nursing as either a registered nurse or a licensed practical/vocational nurse in such party state. All party states have the authority, in accordance with existing state due process law, to take actions against the nurse’s privilege such as: revocation, suspension, probation, or any other action that affects a nurse’s authorization to practice;

(9) “Nurse”, a registered nurse or licensed/vocational nurse, as those terms are defined by each state’s practice laws;

(10) “Party state”, any state that has adopted this compact;

(11) “Remote state”, a party state, other than the home state:

(a) Where a patient is located at the time nursing care is provided; or

(b) In the case of the practice of nursing not involving a patient, in such party state where the recipient of nursing practice is located;

(12) “Remote state action”:

(a) Any administrative, civil, equitable, or criminal action permitted by a remote state’s laws which are imposed on a nurse by the remote state’s licensing board or other authority including actions against an individual’s multistate licensure privilege to practice in the remote state; and

(b) Cease and desist and other injunctive or equitable orders issued by remote states or the licensing boards thereof;

(13) “State”, a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;

(14) “State practice laws”, those individual party’s state laws and regulations that govern the practice of nursing, define the scope of nursing practice, and create the methods and grounds for imposing discipline. State practice laws does not include the initial qualifications for licensure or requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.]

[335.310. 1. A license to practice registered nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a multistate licensure privilege to practice as a registered nurse in such party state. A license to practice licensed practical/vocational nursing issued by a home state to a resident in that state will be recognized by each party state as authorizing a multistate licensure privilege to practice as a licensed practical/vocational nurse in such party state. In order to obtain or retain a license, an applicant must meet the home state’s qualifications for licensure and license renewal as well as all other applicable state laws.

2. Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens. If a party state takes such action, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any such actions by remote states.

3. Every nurse practicing in a party state must comply with the state practice laws of the state in which the patient is located at the time care is rendered. In addition, the practice of nursing is not limited to patient care, but shall include all nursing practice as defined by the state practice laws of a party state. The practice of nursing will subject a nurse to the jurisdiction of the nurse licensing board and the courts, as well as the laws, in that party state.

4. This compact does not affect additional requirements imposed by states for advanced practice registered nursing. However, a multistate licensure privilege to practice registered nursing granted by a party state shall be recognized by other party states as a license to practice registered nursing if one is required by state law as a precondition for qualifying for advanced practice registered nurse

authorization.

5. Individuals not residing in a party state shall continue to be able to apply for nurse licensure as provided for under the laws of each party state.

However, the license granted to these individuals will not be recognized as granting the privilege to practice nursing in any other party state unless explicitly agreed to by that party state.]

[335.315. 1. Upon application for a license, the licensing board in a party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any restrictions on the multistate licensure privilege, and whether any other adverse action by any state has been taken against the license.

2. A nurse in a party state shall hold licensure in only one party state at a time, issued by the home state.

3. A nurse who intends to change primary state of residence may apply for licensure in the new home state in advance of such change. However, new licenses will not be issued by a party state until after a nurse provides evidence of change in primary state of residence satisfactory to the new home state's licensing board.

4. When a nurse changes primary state of residence by:

(1) Moving between two party states, and obtains a license from the new home state, the license from the former home state is no longer valid;

(2) Moving from a nonparty state to a party state, and obtains a license from the new home state, the individual state license issued by the nonparty state is not affected and will remain in full force if so provided by the laws of the nonparty state;

(3) Moving from a party state to a nonparty state, the license issued by the prior home state converts to an individual state license, valid only in the former home state, without the multistate licensure privilege to practice in other party states.]

[335.320. In addition to the general provisions described in article III of this compact, the following provisions apply:

(1) The licensing board of a remote state shall promptly report to the administrator of the coordinated licensure information system any remote state actions including the factual and legal basis for such action, if known. The licensing board of a remote state shall also promptly report any significant current investigative information yet to result in a remote state action. The administrator of the coordinated licensure information system shall promptly notify the home state of any such reports;

(2) The licensing board of a party state shall have the authority to complete any pending investigations for a nurse who changes primary state of residence during the course of such investigations. It shall also have the authority to take appropriate actions, and shall promptly report the conclusions of such investigations to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the

new home state of any such actions;

(3) A remote state may take adverse action affecting the multistate licensure privilege to practice within that party state. However, only the home state shall have the power to impose adverse action against the license issued by the home state;

(4) For purposes of imposing adverse action, the licensing board of the home state shall give the same priority and effect to reported conduct received from a remote state as it would if such conduct had occurred within the home state, in so doing, it shall apply its own state laws to determine appropriate action;

(5) The home state may take adverse action based on the factual findings of the remote state, so long as each state follows its own procedures for imposing such adverse action;

(6) Nothing in this compact shall override a party state's decision that participation in an alternative program may be used in lieu of licensure action and that such participation shall remain nonpublic if required by the party state's laws. Party states must require nurses who enter any alternative programs to agree not to practice in any other party state during the term of the alternative program without prior authorization from such other party state.]

[335.325. Notwithstanding any other powers, party state nurse licensing boards shall have the authority to:

(1) If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse;

(2) Issue subpoenas for both hearings and investigations which require the attendance and testimony of witnesses, and the production of evidence. Subpoenas issued by a nurse licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and evidence are located;

(3) Issue cease and desist orders to limit or revoke a nurse's authority to practice in their state;

(4) Promulgate uniform rules and regulations as provided for in subsection 3 of section 335.335.]

[335.330. 1. All party states shall participate in a cooperative effort to create a coordinated database of all licensed registered nurses and licensed practical/vocational nurses. This system will include information on the licensure and disciplinary history of each nurse, as contributed by party states, to assist in the coordination of nurse licensure and enforcement efforts.

2. Notwithstanding any other provision of law, all party states' licensing boards shall promptly report adverse actions, actions against multistate licensure privileges, any current significant investigative information yet to result in adverse action, denials of applications, and the reasons for such denials to the coordinated licensure information system.

3. Current significant investigative information shall be transmitted through the coordinated

licensure information system only to party state licensing boards.

4. Notwithstanding any other provision of law, all party states' licensing boards contributing information to the coordinated licensure information system may designate information that may not be shared with nonparty states or disclosed to other entities or individuals without the express permission of the contributing state.

5. Any personally identifiable information obtained by a party state's licensing board from the coordinated licensure information system may not be shared with nonparty states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

6. Any information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information shall also be expunged from the coordinated licensure information system.

7. The compact administrators, acting jointly with each other and in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.]

[335.335. 1. The head of the nurse licensing board, or his/her designee, of each party state shall be the administrator of this compact for his/her state.

2. The compact administrator of each party shall furnish to the compact administrator of each other party state any information and documents including, but not limited to, a uniform data set of investigations, identifying information, licensure data, and disclosable alternative program participation information to facilitate the administration of this compact.

3. Compact administrators shall have the authority to develop uniform rules to facilitate and coordinate implementation of this compact. These uniform rules shall be adopted by party states, under the authority invested under subsection 4 of section 335.325.]

[335.340. No party state or the officers or employees or agents of a party state's nurse licensing board who acts in accordance with the provisions of this compact shall be liable on account of any act or omission in good faith while engaged in the performance of their duties under this compact. Good faith in this article shall not include willful misconduct, gross negligence, or recklessness.]

[335.345. 1. This compact shall enter into force and become effective as to any state when it has been enacted into the laws of that state. Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the withdrawing state has given notice of the withdrawal to the executive heads of all other party states.

2. No withdrawal shall affect the validity or applicability by the licensing boards of states remaining party to the compact of any report of adverse action occurring prior to the withdrawal.

3. Nothing contained in this compact shall be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a non-party state that is made in accordance with the other provisions of this compact.

4. This compact may be amended by the party states. No amendment to this compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all

party states.]

[335.350. 1. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

2. In the event party states find a need for settling disputes arising under this compact:

(1) The party states may submit the issues in dispute to an arbitration panel which will be comprised of an individual appointed by the compact administrator in the home state, an individual appointed by the compact administrator in the remote states involved, and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute;

(2) The decision of a majority of the arbitrators shall be final and binding.]

[335.355. 1. The term “head of the nurse licensing board” as referred to in article VIII of this compact shall mean the executive director of the Missouri state board of nursing.

2. A person who is extended the privilege to practice in this state pursuant to the nurse licensure compact is subject to discipline by the board, as set forth in this chapter, for violation of this chapter or the rules and regulations promulgated herein. A person extended the privilege to practice in this state pursuant to the nurse licensure compact shall be subject to adhere to all requirements of this chapter, as if such person were originally licensed in this state.

3. Sections 335.300 to 335.355 are applicable only to nurses whose home states are determined by the Missouri state board of nursing to have licensure requirements that are substantially equivalent or more stringent than those of Missouri.

4. This compact is designed to facilitate the regulation of nurses, and does not relieve employers from complying with statutorily imposed obligations.

5. This compact does not supercede existing state labor laws.]; and

Section B. The repeal of sections 335.300 to 335.355 and the enactment of sections 335.360 to 335.415 of this act shall become effective on December 31, 2018, or upon the enactment of sections 335.360 to 335.415 of this act by no less than twenty-six states and notification of such enactment to the revisor of statutes by the Interstate Commission of Nurse Licensure Compact Administrators, whichever occurs first.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 14

Amend House Amendment No.14 to House Committee Substitute for Senate Bill No. 635, Page 1, Line 4, by deleting said line and inserting in lieu thereof the following:

“190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician’s license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements. **Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services;**

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by inserting

after all of said section and line the following:

“190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and pediatric trauma center when a hospital, upon proper application submitted by the hospital and site review, has been found by the department to meet the applicable level of trauma center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185.

2. **Except as provided in subsection 4 of this section**, the department shall designate a hospital as a STEMI or stroke center when such hospital, upon proper application and site review, has been found by the department to meet the applicable level of STEMI or stroke center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. In developing STEMI center and stroke center designation criteria, the department shall use, as it deems practicable, appropriate peer-reviewed or evidence-based research on such topics including, but not limited to, the most recent guidelines of the American College of Cardiology and American Heart Association for STEMI centers, or the Joint Commission’s Primary Stroke Center Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center Recommendations as published by the American Stroke Association.

3. The department of health and senior services shall, not less than once every five years, conduct an on-site review of every trauma, STEMI, and stroke center through appropriate department personnel or a qualified contractor, **with the exception of stroke centers designated under subsection 4 of this section; however, this provision shall not limit the department’s ability to conduct a complaint investigation under subdivision (3) of subsection 2 of section 197.080 of any trauma, STEMI, or stroke center.** On-site reviews shall be coordinated for the different types of centers to the extent practicable with hospital licensure inspections conducted under chapter 197. No person shall be a qualified contractor for purposes of this subsection who has a substantial conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The department may deny, place on probation, suspend or revoke such designation in any case in which it has reasonable cause to believe that there has been a substantial failure to comply with the provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. If the department of health and senior services has reasonable cause to believe that a hospital is not in compliance with such provisions or regulations, it may conduct additional announced or unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center fails two consecutive on-site reviews because of substantial noncompliance with standards prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections 190.001 to 190.245, its center designation shall be revoked.

4. **Instead of applying for stroke center designation under the provisions of subsection 2 of this section, a hospital may apply for stroke center designation under the provisions of this subsection. Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:**

(1) **A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines;**

(2) **A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association**

guidelines; or

(3) A level III stroke center if such hospital has been certified as an acute stroke-ready hospital by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines.

Except as provided under subsection 5 of this section, the department shall not require compliance with any additional standards for establishing or renewing stroke designations. The designation shall continue if such hospital remains certified. The department may remove a hospital's designation as a stroke center if the hospital requests removal of the designation or the department determines that the certificate recognizing the hospital as a stroke center has been suspended or revoked. Because the department may not have access to the records of the certifying organization, any decision made by the department to withdraw its designation of a stroke center under this subsection that is based on the revocation or suspension of a certification by a certifying organization shall not be subject to judicial review. The department shall report to the certifying organization any complaint it receives related to the certification of a stroke center designated under this subsection. The department shall also advise the complainant of which organization certified the stroke center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying organization.

5. Any hospital receiving designation as a stroke center under subsection 4 of this section shall:

(1) Annually and within thirty days of any changes submit to the department proof of stroke certification and the names and contact information of the medical director and the program manager of the stroke center;

(2) Submit to the department a copy of the certifying organization's final stroke certification survey results within thirty days of receiving such results;

(3) Submit every four years an application on a form prescribed by the department for stroke center review and designation;

(4) Participate in the emergency medical services regional system of stroke care in its respective emergency medical services region as defined in 19 CSR 30-40.302; and

(5) Participate in local and regional emergency medical services systems by reviewing and sharing outcome data and providing training and clinical educational resources.

Any hospital receiving designation as a level III stroke center under subsection 4 of this section shall have a formal agreement with a level I or level II stroke center for physician consultative services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-thrombolytic therapy.

6. Hospitals designated as a STEMI or stroke center by the department, including those designated under subsection 4 of this section, shall submit data to meet the data submission requirements specified by rules promulgated by the department. Such submission of data may be done by the following methods:

(1) Entering hospital data directly into a state registry by direct data entry;

(2) Downloading hospital data from a nationally recognized registry or data bank and importing the data files into a state registry; or

(3) Authorizing a nationally recognized registry or data bank to disclose or grant access to the department to facility-specific data held by the registry or data bank.

A hospital submitting data under subdivision (2) or (3) of this subsection shall not be required to collect and submit any additional STEMI or stroke center data elements.

7. When collecting and analyzing data under the provisions of this section, the department shall comply with the following requirements:

(1) The names of any health care professionals as defined in section 376.1350 shall not be subject to disclosure;

(2) The data shall not be disclosed in a manner that permits the identification of an individual patient or encounter;

(3) The data shall be used for the evaluation and improvement of hospital and emergency medical services trauma, stroke, and STEMI care;

(4) The data collection system shall be capable of accepting file transfers of data entered into any nationally recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma, stroke, or STEMI certification reporting requirements;

(5) STEMI and stroke center data elements shall conform to nationally recognized performance measures, such as the American Heart Association's Get With the Guidelines, and include published, detailed measure specifications, data coding instructions, and patient population inclusion and exclusion criteria to ensure data reliability and validity; and

(6) Generate from the trauma, stroke, and STEMI registries quarterly regional and state outcome data reports for trauma, stroke, and STEMI designated centers for the state advisory council on emergency medical services and regional emergency medical services committees to review for performance improvement and patient safety.

8. The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.

9. The department of health and senior services may establish appropriate fees to offset the costs of trauma, STEMI, and stroke center reviews.

[5.] 10. No hospital shall hold itself out to the public as a STEMI center, stroke center, adult trauma center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated as such by the department of health and senior services.

[6.] 11. Any person aggrieved by an action of the department of health and senior services affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation, may seek a determination

thereon by the administrative hearing commission under chapter 621. It shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department.

190.265. 1. In order to ensure that the skids of a helicopter do not get caught in a fence or other barriers and cause a potentially catastrophic outcome, any rules and regulations promulgated by the department of health and senior services pursuant to sections 190.185, 190.214, and 192.006, chapter 197, or any other provision of Missouri law shall not require hospitals to have a fence, or other barriers, around such hospital's helipad. Any regulation requiring fencing, or other barriers, or any interpretation of such regulation shall be null and void.

2. In addition to the prohibition in subsection 1 of this section, the department shall not promulgate any rules and regulations with respect to the operation or construction of a helipad located at a hospital.

3. Hospitals shall ensure that helipads are free of obstruction and safe for use by a helicopter while on the ground, during approach, and takeoff.

4. As used in this section, the term "hospital" shall have the same meaning as in section 197.020.";
and

Further amend said bill, Page 3, Section 191.1085, Line 35, by inserting after all of said section and line the following:

"192.737. [1.] The department of health and senior services shall [establish and maintain an information registry and reporting system for the purpose of data collection and needs assessment of brain and spinal cord injured persons in this state] use patient abstract data under section 192.667, the department's trauma registry, motor vehicle crash and outcome data, and other publicly available data sources to provide information and create reports for the purpose of data analysis and needs assessment of traumatic brain and spinal cord injured persons.

[2. Reports of traumatic brain and spinal cord injuries shall be filed with the department by a treating physician or his designee within seven days of identification. The attending physician of any patient with traumatic brain or spinal cord injury who is in the hospital shall provide in writing to the chief administrative officer the information required to be reported by this section. The chief administrative officer of the hospital shall then have the duty to submit the required reports.

3. Reporting forms and the manner in which the information is to be reported shall be provided by the department. Such reports shall include, but shall not be limited to, the following information: name, age, and residence of the injured person, the date and cause of the injury, the initial diagnosis and such other information as required by the department.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SCS** for **SB 578**, entitled:

An Act to repeal sections 513.430, 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-five new sections relating to insolvency.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, Page 1, In the Title, Line 3, by deleting the word “insolvency” on said line and inserting in lieu thereof the phrase “judicial proceedings”; and

Further amend said bill and page, Section A, Lines 6, by inserting after all of said section and line the following:

“478.705. 1. There shall be [two] **three** circuit judges in the twenty-sixth judicial circuit consisting of the counties of Camden, Laclede, Miller, Moniteau and Morgan. These judges shall sit in divisions numbered one [and], two, **and three**.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division one shall be elected in 1982. **The governor shall appoint a judge for division three and notwithstanding the provisions of section 105.030, that judge shall serve until January 1, 2021. A judge for division three shall be elected in 2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, Page 1, In the Title, Line 3, by deleting the word “insolvency” and inserting in lieu thereof the phrase “judicial proceedings”; and

Further amend said bill and page, Section A, Line 6, by inserting after all of said section and line the following:

“476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates **or containing, as of January 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS)** may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

(1) Serve process;

(2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1465**, entitled:

An Act to repeal sections 324.001, 334.037, 334.104, 335.016, 335.019, 335.046, 335.056, 335.086, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, and 376.1235, RSMo, and to enact in lieu thereof thirty-three new sections relating to licensed professionals, with a contingent effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2327**, entitled:

An Act to repeal section 174.125, RSMo, and to enact in lieu thereof two new sections relating to the establishment of the urban education institute.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1765**, entitled:

An Act to repeal sections 192.2260, 192.2405, 217.360, 217.670, 217.690, 301.559, 339.100, 400.9-501,

513.430, 562.014, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, and 632.520 RSMo, sections 192.2410 and 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, sections 198.070, 221.111, 557.021, 565.188, 568.040, 569.090, 569.140, 570.030, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, sections 198.070 and 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, and to enact in lieu thereof thirty-five new sections relating to judicial proceedings, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Pearce assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **HB 1733** and **SCS** for **SB 613**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SB 884, introduced by Senator Munzlinger, entitled:

An Act to repeal section 414.082, RSMo, and to enact in lieu thereof one new section relating to the per barrel fee for the inspection of certain motor fuels.

Was taken up.

On motion of Senator Munzlinger, **SB 884** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Kraus	Schaaf	Sifton—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 613, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 613**

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof three new sections relating to worker's compensation.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS for SB 613** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SS for HB 1733** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for HB 1733 was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SS** for **SB 608**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **SS** for **SB 732**, with **HCS**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HA 1**, as amended and **HA 2** to **SB 700**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1684**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Keaveny, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 1941**, begs leave to report that it has considered the same and recommends that the Senate Committee

Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 1776**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HJR 58**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 2038**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1588**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1759**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1862**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1432**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 1463**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 2029**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and

Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1478**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 2111**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 663**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 607**, as amended: Senators Sater, Romine, Hegeman, Schupp and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 639**, as amended: Senators Riddle, Wieland, Onder, Keaveny and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 677**, as amended: Senators Sater, Wasson, Riddle, Chappelle-Nadal and Schupp.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1534—Ways and Means.

HCS for **HB 2496**—Ways and Means.

HCS for **HB 1448**—Ways and Means.

HB 2028—Transportation, Infrastructure and Public Safety.

HB 1852—Veterans' Affairs and Health.

HB 2065—Ways and Means.

HB 2093—Transportation, Infrastructure and Public Safety.

HCS for **HB 1928**—Education.

HB 2237—Education.

HCS for **HB 2345**—Transportation, Infrastructure and Public Safety.

HB 1585—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1955**—Small Business, Insurance and Industry.

HB 1969—Agriculture, Food Production and Outdoor Resources.

HCS for HB 2057—Transportation, Infrastructure and Public Safety.

HCS for HB 1561—Jobs, Economic Development and Local Government.

HCS for HB 1679—Veterans' Affairs and Health.

HB 1468—Transportation, Infrastructure and Public Safety.

HB 1754—General Laws and Pensions.

HB 1867—Small Business, Insurance and Industry.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS No. 2 for SS for SCS for HB 2203**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Emery submitted the following:

April 25, 2016

Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madam Secretary:

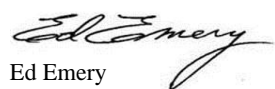
Pursuant to Article III, section 30 I hereby submit a constitutional objection to HB 1979. Based on the following:

This act establishes a six month cooling-off period before certain elected or appointed public officials may act, serve, or register as a lobbyist. This proposed legislation violates the fundamental law of the land by restricting the liberty of Missourians to seek employment in the profession of their choice, in violation of the due process clause of the Fourteenth Amendment of the United States Constitution and Article I, Section 10 of the Missouri Constitution. When states place unnecessary burdens on fundamental rights, such as the proposed legislation, it must further demonstrate a compelling government interest. There is no government interest compelling enough to justify the infringement on the inviolable right of an individual to seek employment in the profession of their choice. Such a right is implicit in the liberty and due process guaranteed by the United States Constitution and cannot, nor should it, be infringed upon.

Furthermore, such restrictions as the ones in this proposed legislation construct a significant barrier to the exercise of core First Amendment rights which are fundamental to the American system of government: political speech and the right of free association. When the state restricts the activities of Missourians in such a way that their right to speak and associate with entities in the pursuit of varying political and social ends, it treads into substantially unwise and unconstitutional territory.

Because the proposed legislation creating a cooling-off period is unconstitutional and a violation of the fundamental and inviolable rights guaranteed to Missourians under the First and Fourteenth Amendments of the United States Constitution and Article I, Section 10 of the Missouri Constitution, I ask the Governor to act for the good of the people of Missouri and veto CCS/SS/SCS/HB 1979.

Sincerely,


Ed Emery

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for SS for SCS for HCS for HB 1979**, having passed both branches of the General Assembly, would be read at length by

the Secretary, and the objection notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

REFERRALS

President Pro Tem Richard referred **SS** for **SCS** for **SB 663** to the Committee on Governmental Accountability and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Clifford and Evelyn Case, Holts Summit.

Senator Kraus introduced to the Senate, Jeffrey, Darl and Tucker Williams, Raymore.

Senator Riddle introduced to the Senate, representatives of Leadership Mexico.

Senator Riddle introduced to the Senate, Emily Humphrey, Tipton.

Senator Wallingford introduced to the Senate, teacher Dana Driskell and fourteen fourth grade students from Cape Christian School, Cape Girardeau.

Senator Emery introduced to the Senate, teacher Mrs. Testerman and seventy-five fourth grade students from Timbercreek Elementary School, Raymore.

Senator Kehoe introduced to the Senate, President Dr. Donald Claycomb, State Technical College of Missouri, Linn.

Senator Riddle introduced to the Senate, the Physician of the Day, Dr. Joseph A. Corrado, Mexico.

Senator Sifton introduced to the Senate, Colin Darnell, Truman State University, Rolla.

Senator Keaveny introduced to the Senate, Roger Ruff, Webster Groves; and Dr. and Mrs. Malchow, Greenfield, Wisconsin.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, May 2, 2016.

SENATE CALENDAR

SIXTY-FIRST DAY—MONDAY, MAY 2, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1465

HCS for HB 1765

HCS for HB 2327

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)
SCS for SB 998-Romine (In Fiscal Oversight)

SCS for SBs 857 & 712-Romine (In
Fiscal Oversight)
SS for SCS for SB 663-Dixon (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf) (In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HB 1565-Engler (Romine)
(In Fiscal Oversight)
4. HCS for HB 1696, with SCS (Riddle)
(In Fiscal Oversight)
5. HB 1892-Rehder (Schatz)
(In Fiscal Oversight)
6. HB 1643-Hicks (Brown)
7. HB 2104-Alferman, with SCS (Schmitt)
8. HCS for HB 1675, with SCS (Munzlinger)
9. HCS for HB 2381 (Munzlinger)
10. HB 1577-Higdon, with SCS (Riddle)
11. HCS for HB 1433, with SCS (Sater)
12. HCS for HB 1930 (Riddle)
13. HCS for HB 2202, with SCS (Dixon)
14. HCS for HB 2376, with SCS (Wasson)

15. HCS for HB 1713, with SCS (Emery)
(In Fiscal Oversight)
16. HCS for HB 1898 (Emery)
17. HCS for HB 2380, with SCS (Schatz)
(In Fiscal Oversight)
18. HCS for HB 1684 (Riddle)
19. HCS for HB 1941, with SCS (Schaefer)
20. HCS for HB 1776 (Romine)
21. HJR 58-Brown (57) (Romine)
22. HCS for HB 2038 (Munzlinger)
23. HB 1588-Franklin, with SCS
24. HCS for HB 1759, with SCS (Dixon)
25. HCS for HB 1862, with SCS (Schaefer)
26. HCS for HB 1432, with SCS (Wieland)
27. HCS for HB 1463 (Kraus)
28. HCS for HB 2029 (Sater)
29. HB 1478-Entlicher, with SCS (Pearce)
30. HB 2111-Eggleston (Sater)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending)	SB 868-Wasson
SB 580-Schaaf, with SCS & SA 2 (pending)	SB 871-Wallingford
SB 596-Kraus, with SCS	SB 883-Riddle
SB 622-Romine, with SCS	SB 894-Munzlinger, with SS (pending)
SB 644-Onder, with SCS	SB 896-Hegeman
SBs 662 & 587-Dixon, with SCS	SB 898-Cunningham
SB 680-Emery	SB 908-Sater, with SCS
SB 686-Wallingford, with SCS	SB 916-Schaefer
SB 706-Dixon	SB 920-Schmitt and Kraus
SB 719-Emery, with SCS	SB 951-Wasson, with SA 1 (pending)
SB 733-Dixon	SB 964-Wallingford, with SCS (pending)
SB 734-Dixon	SB 966-Schaaf
SB 771-Onder	SB 972-Silvey
SB 772-Onder, with SCS	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 774-Schmitt	SB 995-Riddle
SB 775-Schaefer	SB 1003-Onder
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)	SB 1004-Onder
SB 788-Schatz, with SCS & SS for SCS (pending)	SB 1005-Walsh
SBs 789 & 595-Wasson, with SCS	SBs 1010, 958 & 878-Curls, with SCS
SB 792-Richard	SB 1012-Dixon
SB 793-Richard	SB 1014-Dixon
SB 798-Kraus, with SCS	SB 1026-Schatz, with SCS
SB 802-Sater	SB 1028-Silvey, et al, with SCS
SB 805-Onder, with SCS	SB 1033-Pearce
SB 806-Onder, with SCS	SB 1066-Curls
SB 812-Keaveny	SB 1074-Schmitt, with SCS
SB 816-Wieland, et al	SB 1075-Wallingford
SB 825-Munzlinger, with SA 1 (pending)	SB 1085-Pearce
SB 830-Wasson, with SCS	SB 1091-Riddle
SB 848-Emery, with SCS	SB 1094-Kehoe, with SCS
SBs 851 & 694-Brown, with SCS	SB 1096-Dixon and Keaveny, with SS (pending)
SB 853-Brown	SB 1117-Wasson, with SCS
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1120-Hegeman, et al
	SB 1131-Sifton
	SB 1144-Brown
	SJR 23-Sater, with SS (pending)
	SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1452-Hoskins, with SCS (Pearce)
 HB 1472-Dugger (Dixon)
 HB 1479-Entlicher (Romine)
 HB 1530-Brown (57) (Munzlinger)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1631-Alferman, with SCS, SS for SCS &
 SA 2 (pending) (Kraus)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1717 (Wallingford)
 HCS for HB 1729 (Munzlinger)
 HB 1745-Brattin, with SCS (Schatz)
 HCS for HBs 1780 & 1420 (Pearce)

HB 1795-Haefner, with SCS (Sater)
 HCS for HB 1804, with SCS (Emery)
 HCS for HB 1850 (Wasson)
 HCS for HB 1904, with SCS (Wallingford)
 HB 2166-Alferman, with SCS, SS#2 for SCS,
 SA 1 & SSA 1 for SA 1 (pending) (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HB 2226-Barnes (Silvey)
 HB 2230-Ross (Schatz)
 HCS for HBs 2234 & 1985 (Pearce)
 HB 2257-Jones, with SCS (Wieland)
 HCS for HB 2332, with SCS (Dixon)
 HCS for HB 2397 (Romine)
 HB 2429-Dohrman, with SCS (Parson)
 HB 2590-Plocher, with SCS (Keaveny)
 HCS for HB 2689 (Silvey)
 HJR 53-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
 HB 2428-Swan (Pearce)
 HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)
 HB 1559-McCann Beatty (Curls)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)

HB 1473-Dugger, with SCS (Wasson)
 HCS for HB 1480 (Hegeman)
 HB 1388-Roeber (Dixon)
 HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 578-Keaveny, with HCS, as amended
SB 635-Hegeman, with HCS, as amended
SS for SCS for SB 657-Munzlinger, with
HCS, as amended

SCS for SB 814-Wallingford, et al, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 607-Sater, with HCS, as amended
SS for SB 621-Romine, with HCS, as amended

SB 639-Riddle, with HCS, as amended
SB 677-Sater, with HCS, as amended

Requests to Recede or Grant Conference

SS for SB 608-Sater, with HCS, as amended
(Senate requests House recede or grant
conference)
SB 700-Schatz, with HA 1, as amended &
HA 2 (Senate requests House recede
or grant conference)

SS for SB 732-Munzlinger, with HCS, as
amended (Senate requests House
recede or grant conference)
HB 1870-Hoskins, with SAs 1, 3, 4 & 5
(Pearce) (House requests Senate
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIRST DAY—MONDAY, MAY 2, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Sustain me according to Your promise, that I may live, and not be disappointed in my hope.” (Psalm 119:116)

We thank You for safe travel this day and come before You for the days ahead are filled with tension and we need Your presence to sustain us that we might not be overwhelmed. Be with us this day and hear our prayers for Your guidance in all that we do this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 28, 2016 was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 2088, regarding Sarah Diehl, which was adopted.

Senator Schupp offered Senate Resolution No. 2089, regarding Trevor Graham, which was adopted.

Senator Schupp offered Senate Resolution No. 2090, regarding Megan Ingerman, which was adopted.

Senator Schupp offered Senate Resolution No. 2091, regarding Watlow Electric Manufacturing Company, which was adopted.

Senator Schupp offered Senate Resolution No. 2092, regarding 100 Percent Wine, which was adopted.

Senator Riddle offered Senate Resolution No. 2093, regarding Relby Phelps, Laddonia, which was adopted.

Senator Riddle offered Senate Resolution No. 2094, regarding Thomas Perrin, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 2095, regarding Ricky Cecil, Troy, which was adopted.

Senator Curls offered Senate Resolution No. 2096, regarding Ivory “Ike” Graham, which was adopted.

Senator Kehoe offered Senate Resolution No. 2097, regarding the One Hundredth Birthday of Eleanor Lorene (Blaser) Schulte, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2098, regarding Mary Lueckenotte, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2099, regarding Fern Bowder, Jefferson City, which was adopted.

Senator Romine offered Senate Resolution No. 2100, regarding Robert Weiler, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2101, regarding Julie Chappell, Farmington, which was adopted.

Senator Parson offered Senate Resolution No. 2102, regarding Wanda Allen, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 2103, regarding Eugenia Hale, Bolivar, which was adopted.

Senator Schupp offered Senate Resolution No. 2104, regarding Dan Burkhardt, St. Louis, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2105, regarding Kristen A. Pagliai, which was adopted.

Senator Dixon offered Senate Resolution No. 2106, regarding Channing Burd, Alton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2107, regarding Gerald E. Snapp, Marshall, which was adopted.

Senator Schupp offered Senate Resolution No. 2108, regarding Kaitlyn Nicole Burke, which was adopted.

Senator Schupp offered Senate Resolution No. 2109, regarding Emilie Anne Grace Bridges, which was adopted.

Senator Dixon offered the following resolution:

SENATE RESOLUTION NO. 2110

Whereas, for over two centuries, our State and Nation have adhered to the rule of law as the foundation for a safe, free, and just society; and

Whereas, seeking to formally recognize this tradition, President Eisenhower established Law Day in 1958, as “a day of national dedication to the principles of government under the law”; and

Whereas, the United States Congress in 1961 encoded the presidential practice into law, statutorily designating May first as Law Day; and

Whereas, Law Day is a day for all Missourians to reflect on the role of law in the foundation of our country and to recognize the importance of laws and the legal process in contributing to the freedoms in which all Americans share; and

Whereas, in addition, this important occasion asks citizens of the great State of Missouri to focus upon their rights as laid out in the fundamental documents of American democracy, the Declaration of Independence and the Federal Constitution; and

Whereas, the year 2016 marks the 50th anniversary of a milestone in legal history, the United States Supreme Court’s landmark decision in *Miranda v. Arizona*, concluding that statements made by a suspect in police custody are generally inadmissible if the suspect has not been made aware of his or her Fifth and Sixth Amendment rights; and

Whereas, in response to this decision, law enforcement personnel throughout the country provide a Miranda warning to suspects in custody apprising them of their right to remain silent, their right to an attorney, and their right to appointed counsel in cases where they cannot afford an attorney; and

Whereas, the criminal justice system still faces many challenges and we must all rededicate ourselves to the great goal of ensuring that it provides fair and equal treatment for all; and

Whereas, promoting public understanding of the roots of our freedom are an important component in the civic education of the citizens of the United States and of the State of Missouri; and

Whereas, the American Bar Association has identified the 2016 Law Day theme as “Miranda: More than Words”; and

Whereas, the Missouri Senate celebrates the importance of Law Day in the State of Missouri; in doing so, we, as citizens, of this great State and this Nation, recommit ourselves to the rule of law and to upholding the fundamental principles enshrined in our founding documents:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate of the 98th General Assembly, Second Regular Session, hereby commemorate May 1, 2016, as Law Day and encourage all Missourians to work for the preservation and strengthening of the rule of law.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SBs 865 & 866**, entitled:

An Act to repeal sections 338.270, 338.347, 374.185, 376.1237, 376.1900, 379.934, 379.936, 379.938, and 379.940, RSMo, and to enact in lieu thereof fourteen new sections relating to health care.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 6, 7, 8 and 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Pages 10 through 12, Section 376.1900, Lines 1 through 68, by deleting all of said

section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 2, Section 338.202, Line 1, by inserting after the word “**law**” the words “**to the contrary**”; and

Further amend said bill, page, and section, Line 7, by deleting the word “**physician**” and inserting in lieu thereof the word “**prescriber**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 20, Section 379.940, Line 89, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(2) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician’s designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power

of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient's personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient's health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) Grandparent or adult grandchild;

(6) Niece or nephew or the next nearest other relative of the patient, by consanguinity or affinity;

(7) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(8) Any nonrelative who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(9) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the

patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known and not inconsistent with the patient's best interests, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed to the patient's physician or other health care provider that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care

provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or

hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for the effort to identify, locate, and communicate with such potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 3, Line 44, by deleting all of said line and inserting in lieu thereof the following:

“declined.

205.165. 1. The board of trustees of any hospital authorized under subsection 1 of this section and organized under the provisions of sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.

2. The provisions of this section shall only apply if the hospital:

(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and

(2) Receives less than one percent of its annual revenues from county or state taxes.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to twenty-five percent of the hospital's funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.

167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every

public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices; [and]**

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention**, unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term "on-campus housing" shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education.

197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation

of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; or

(2) Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.

198.054. Each year between October first and March first, all long-term care facilities licensed under this chapter shall assist their health care workers, volunteers, and other employees who have direct contact with residents in obtaining the vaccination for the influenza virus by either offering the vaccination in the facility or providing information as to how they may independently obtain the vaccination, unless contraindicated, in accordance with the latest recommendations of the Centers for Disease Control and Prevention and subject to availability of the vaccine. Facilities are encouraged to document that each health care worker, volunteer, and employee has been offered assistance in receiving a vaccination against the influenza virus and has either accepted or declined.”; and

Further amend said bill, Page 2, Section 338.075, Line 27, by inserting after all of said section and line the following:

“338.200. 1. In the event a pharmacist is unable to obtain refill authorization from the prescriber due to death, incapacity, or when the pharmacist is unable to obtain refill authorization from the prescriber, a pharmacist may dispense an emergency supply of medication if:

(1) In the pharmacist’s professional judgment, interruption of therapy might reasonably produce undesirable health consequences;

(2) The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;

(3) The medication dispensed is not a controlled substance;

(4) The pharmacist informs the patient or the patient’s agent either verbally, electronically, or in writing at the time of dispensing that authorization of a prescriber is required for future refills; and

(5) The pharmacist documents the emergency dispensing in the patient’s prescription record, as provided by the board by rule.

2. (1) If the pharmacist is unable to obtain refill authorization from the prescriber, the amount dispensed

shall be limited to the amount determined by the pharmacist within his or her professional judgment as needed for the emergency period, provided the amount dispensed shall not exceed a seven-day supply.

(2) In the event of prescriber death or incapacity or inability of the prescriber to provide medical services, the amount dispensed shall not exceed a thirty-day supply.

3. Pharmacists or permit holders dispensing an emergency supply pursuant to this section shall promptly notify the prescriber or the prescriber's office of the emergency dispensing, as required by the board by rule.

4. An emergency supply may not be dispensed pursuant to this section if the pharmacist has knowledge that the prescriber has otherwise prohibited or restricted emergency dispensing for the applicable patient.

5. The determination to dispense an emergency supply of medication under this section shall only be made by a pharmacist licensed by the board.

6. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill and page, Section 338.202, Line 1, by inserting after the word “**law**” the words “**to the contrary**”; and

Further amend said bill, page, and section, Line 7, by deleting the word “**physician**” and inserting in lieu thereof the word “**prescriber**”; and

Further amend said bill, Page 20, Section 379.940, Line 89, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the repeal and reenactment of section 197.315 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2016, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the advice and consent of the senate; and

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in section 191.1085.

6. The council shall submit an annual report to the general assembly, which includes an

assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2022.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities including, but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council established in section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2022.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate

Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“195.430. 1. There is hereby established in the state treasury the “Controlled Substance Abuse Prevention Fund”, which shall consist of all fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. All fees authorized to be charged by the department shall be transmitted to the department of revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and to prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.

195.435. The bureau of narcotics and dangerous drugs shall employ no less than one investigator for every two thousand five hundred controlled substance registrants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting after all of said line the following:

“208.1030. 1. An eligible provider, as described in subsection 2 of this section, may, in addition to the rate of payment that the provider would otherwise receive for Medicaid ground emergency medical transportation services, receive MO HealthNet supplemental reimbursement to the extent provided by law.

2. A provider shall be eligible for Medicaid supplemental reimbursement if the provider meets the following characteristics during the state reporting period:

- (1) Provides ground emergency medical transportation services to MO HealthNet participants;**
- (2) Is enrolled as a MO HealthNet provider for the period being claimed; and**
- (3) Is owned, operated, or contracted by the state or a political subdivision.**

3. An eligible provider’s Medicaid supplemental reimbursement under this section shall be calculated and paid as follows:

(1) The supplemental reimbursement to an eligible provider, as described in subsection 2 of this section, shall be equal to the amount of federal financial participation received as a result of the claims submitted under subdivision (2) of subsection 6 of this section;

(2) In no instance shall the amount certified under subdivision (1) of subsection 5 of this section, when combined with the amount received from all other sources of reimbursement from the MO HealthNet program, exceed one hundred percent of actual costs, as determined under the Medicaid state plan for ground emergency medical transportation services; and

(3) The supplemental Medicaid reimbursement provided by this section shall be distributed exclusively to eligible providers under a payment methodology based on ground emergency medical transportation services provided to MO HealthNet participants by eligible providers on a per-transport basis or other federally permissible basis. The department of social services shall obtain approval from the Centers for Medicare and Medicaid Services for the payment methodology to be utilized and shall not make any payment under this section prior to obtaining that approval.

4. An eligible provider, as a condition of receiving supplemental reimbursement under this section, shall enter into and maintain an agreement with the department's designee for the purposes of implementing this section and reimbursing the department of social services for the costs of administering this section. The non-federal share of the supplemental reimbursement submitted to the Centers for Medicare and Medicaid Services for purposes of claiming federal financial participation shall be paid with funds from the governmental entities described in subdivision (3) of subsection 2 of this section and certified to the state as provided in subsection 5 of this section.

5. Participation in the program by an eligible provider described in this section is voluntary. If an applicable governmental entity elects to seek supplemental reimbursement under this section on behalf of an eligible provider owned or operated by the entity, as described in subdivision (3) of subsection 2 of this section, the governmental entity shall do the following:

(1) Certify in conformity with the requirements of 42 CFR 433.51 that the claimed expenditures for the ground emergency medical transportation services are eligible for federal financial participation;

(2) Provide evidence supporting the certification as specified by the department of social services;

(3) Submit data as specified by the department of social services to determine the appropriate amounts to claim as expenditures qualifying for federal financial participation; and

(4) Keep, maintain, and have readily retrievable any records specified by the department of social services to fully disclose reimbursement amounts to which the eligible provider is entitled and any other records required by the Centers for Medicare and Medicaid Services.

6. The department of social services shall be authorized to seek any necessary federal approvals for the implementation of this section. The department may limit the program to those costs that are allowable expenditures under Title XIX of the Social Security Act, 42 U.S.C. Section 1396, et seq.

(1) The department of social services shall submit claims for federal financial participation for the expenditures for the services described in subsection 5 of this section that are allowable expenditures under federal law.

(2) The department of social services shall, on an annual basis, submit any necessary materials to the federal government to provide assurances that claims for federal financial participation shall include only those expenditures that are allowable under federal law.

208.1032. 1. The department of social services shall be authorized to design and implement in consultation and coordination with eligible providers as described in subsection 2 of this section an intergovernmental transfer program relating to ground emergency medical transport services, including those services provided at the emergency medical responder, emergency medical technician (EMT), advanced EMT, EMT intermediate, or paramedic levels in the pre-stabilization and preparation for transport, in order to increase capitation payments for the purpose of increasing reimbursement to eligible providers.

2. A provider shall be eligible for increased reimbursement under this section only if the provider meets the following conditions in an applicable state fiscal year:

(1) Provides ground emergency medical transport services to MO HealthNet managed care participants pursuant to a contract or other arrangement with MO HealthNet or a MO HealthNet managed care plan; and

(2) Is owned, operated, or contracted by the state or a political subdivision.

3. To the extent intergovernmental transfers are voluntarily made by and accepted from an eligible provider described in subsection 2 of this section or a governmental entity affiliated with an eligible provider, the department of social services shall make increased capitation payments to applicable MO HealthNet eligible providers for covered ground emergency medical transportation services.

(1) The increased capitation payments made under this section shall be in amounts at least actuarially equivalent to the supplemental fee-for-service payments and up to equivalent of commercial reimbursement rates available for eligible providers to the extent permissible under federal law.

(2) Except as provided in subsection 6 of this section, all funds associated with intergovernmental transfers made and accepted under this section shall be used to fund additional payments to eligible providers.

(3) MO HealthNet managed care plans and coordinated care organizations shall pay one hundred percent of any amount of increased capitation payments made under this section to eligible providers for providing and making available ground emergency medical transportation and pre-stabilization services pursuant to a contract or other arrangement with a MO HealthNet managed care plan or coordinated care organization.

4. The intergovernmental transfer program developed under this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. The department of social services shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as permitted by federal law.

5. Participation in the intergovernmental transfers under this section is voluntary on the part of

the transferring entities for purposes of all applicable federal laws.

6. As a condition of participation under this section, each eligible provider as described in subsection 2 of this section or the governmental entity affiliated with an eligible provider shall agree to reimburse the department of social services for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to twenty percent of the nonfederal share paid to the department of social services and shall be allowed to count as a cost of providing the services not to exceed one hundred twenty percent of the total amount.

7. As a condition of participation under this section, MO HealthNet managed care plans, coordinated care organizations, eligible providers as described in subsection 2 of this section, and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department of social services for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

8. This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized, and any necessary federal approvals have been obtained.

9. To the extent that the director of the department of social services determines that the payments made under this section do not comply with federal Medicaid requirements, the director retains the discretion to return or not accept an intergovernmental transfer, and may adjust payments under this section as necessary to comply with federal Medicaid requirements.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 865 & 866, Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

“334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician’s skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing

patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days. **In performing the review, the collaborating physician need not be present at the health care practitioner's site;** and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008, **nor to collaborative arrangements between a physician and an assistant physician, if the collaborative physician is new to a patient population to which the collaborating assistant physician is already familiar**

8. No agreement made under this section shall supersede current hospital licensing regulations

governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon

protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of

registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days. **In performing the review, the collaborating physician need not be present at the health care practitioner's site;** and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse

provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008, **nor to collaborative arrangements between a physician and an advanced practice registered nurse, if the collaborative physician is new to a patient population to which the collaborating advanced practice registered nurse, physician assistant, or assistant physician is already familiar.**

10. No agreement made under this section shall supersede current hospital licensing regulations

governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

- (1) "Applicant", any individual who seeks to become licensed as a physician assistant;
- (2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;
- (3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;
- (4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;
- (5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;
- (6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;
- (7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;
- (8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time

the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant

training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present. **This limitation shall not apply to supervision agreements between a licensed physician assistant and a physician if the supervising physician is new to a patient population to which the licensed physician assistant is already familiar.**

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a

supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1589 & 2307**, entitled:

An Act to amend chapters 135, 166, and 210, RSMo, by adding thereto fourteen new sections relating to tax credits, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 665**, entitled:

An Act to repeal sections 135.679, 261.235, 348.430, 348.432, 348.436, and 414.082, RSMo, and to enact in lieu thereof seven new sections relating to agriculture.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 665, Page 9, Section 261.235, Line 86, by inserting after all of said section and line the following:

“262.960. 1. This section shall be known and may be cited as the “[Farm-to-School] **Farm-to-Table Act**”.

2. There is hereby created within the department of agriculture the “[Farm-to-School] **Farm-to-Table Program**” to connect Missouri farmers and [schools] **institutions** in order to provide [schools] **institutions** with locally grown agricultural products for inclusion in [school] meals and snacks and to strengthen local farming economies. **The department shall establish guidelines for voluntary participation and parameters for program goals, which shall include, but not be limited to, participating institutions**

purchasing at least ten percent of their food products locally by December 31, 2019. The department shall designate an employee to administer and monitor the [farm-to-school] **farm-to-table** program and to serve as liaison between Missouri farmers and [schools] **institutions. Nothing in this section, nor the guidelines developed by the department, shall require an institution to participate in the farm-to-table program.**

3. The following agencies shall make staff available to the Missouri [farm-to-school] **farm-to-table** program for the purpose of providing professional consultation and staff support to assist the implementation of this section:

- (1) The department of health and senior services;
- (2) The department of elementary and secondary education; [and]
- (3) The office of administration; **and**
- (4) The department of corrections.**

4. The duties of the department employee coordinating the [farm-to-school] **farm-to-table** program shall include, but not be limited to:

- (1) Establishing and maintaining a website database to allow farmers and [schools] **institutions** to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;
- (2) Providing leadership at the state level to encourage [schools] **institutions** to procure and use locally grown agricultural products;
- (3) Conducting workshops and training sessions and providing technical assistance to [school] **institution** food service directors, personnel, farmers, and produce distributors and processors regarding the [farm-to-school] **farm-to-table** program; and
- (4) Seeking grants, private donations, or other funding sources to support the [farm-to-school] **farm-to-table** program.

262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.407, the following terms shall mean:

(1) **“Institutions”, facilities including, but not limited to, schools, correctional facilities, hospitals, nursing homes, long-term care facilities, and military bases;**

(2) **“Locally grown agricultural products”, food or fiber produced or processed by a small agribusiness or small farm;**

[(2)] (3) “Participating institutions”, institutions that voluntarily elect to participate in the farm-to-table program;

(4) **“Schools”, includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;**

[(3)] (5) “Small agribusiness”, a qualifying agribusiness as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

[(4)] **(6)** “Small farm”, a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

2. There is hereby created a taskforce under the AgriMissouri **marketing** program established in section 261.230, which shall be known as the “[Farm-to-School] **Farm-to-Table** Taskforce”. The taskforce shall be made up of at least one representative from each of the following [agencies]: the University of Missouri extension service, the department of agriculture, **the department of corrections, the department of health and senior services,** the department of elementary and secondary education, [and] the office of administration, **and a representative from one of the military bases in the state.** In addition, the director of the department of agriculture shall appoint [two persons] **one person** actively engaged in the practice of small agribusiness. In addition, the [director of the department of elementary and secondary] **commissioner of education** shall appoint [two persons] **one person** from [schools] **a school** within the state who [direct] **directs** a food service program. **The director of the department of corrections shall appoint one person employed as a correctional facility food service director. The director of the department of health and senior services shall appoint one person employed as a hospital or nursing home food service director. The director of the department of agriculture shall appoint one person who is a registered dietician under section 324.200.** One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow [schools] **institutions** to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow [schools] **institutions** to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of [schools] **institutions** within the state to identify standardized language that could be included in such contracts to allow [schools] **institutions** to more easily procure and use locally grown agricultural products.

5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each [agency] **entity** represented on the taskforce [by no later than December 31, 2015] **no later than December thirty-first of each year.**

6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

7. **Nothing in** this section shall [expire on December 31, 2015] **require an institution to participate in the farm-to-table program, and the department shall not establish guidelines or promulgate rules that require institutions to participate in such program.**

348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in [schools] **institutions, as defined in section 262.962**, within the state.

6. The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person's rural agricultural business concept.

7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

8. Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other assistance for which the business may qualify as well as helping the person apply for such assistance.

9. The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

10. The authority may provide for consulting services in the building of the physical facilities of the business.

11. The authority may provide for consulting services in the operation of the business.

12. The authority may provide for such services through employees of the state or by contracting with private entities.

13. The authority may consider the following in making the decision:

- (1) The applicant's commitment to the project through the applicant's risk;
- (2) Community involvement and support;
- (3) The phase the project is in on an annual basis;
- (4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The project's planning for long-term success through feasibility studies, marketing plans, and business plans.

14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

15. The authority may charge fees for the provision of any service pursuant to this section.

16. The authority may adopt rules to implement the provisions of this section.

17. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 572**, entitled:

An Act to repeal sections 67.287, 67.398, 79.490, 80.570, 479.020, 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof twenty-four new sections relating to municipalities, with penalty provisions.

With House Amendment Nos. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended and House Amendment No. 6.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 4, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“bill.

67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as

provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants;

(12) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance,

and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate

Bill No. 572, Pages 4-5, Section 67.398, Lines 1-37, by deleting all of said section and lines and inserting in lieu thereof the following;

“67.398. 1. The governing body of any city or village, or any county having a charter form of government, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of a nuisance including, but not limited to, debris of any kind, weed cuttings, cut, fallen, or hazardous trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe and declared to be a public nuisance.

2. The governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may enact ordinances for the abatement of a condition of any lot or land that has vacant buildings or structures open to entry.

3. [Any ordinance authorized by this section may provide that if the owner fails to begin removing or abating the nuisance within a specific time which shall not be less than seven days of receiving notice that the nuisance has been ordered removed or abated, or upon] **Any ordinance authorized by this section shall provide for service to the owner of the property and, if the property is not owner-occupied, to any occupant of the property of a written notice specifically describing each condition of the lot or land declared to be a public nuisance, and which notice shall identify what action will remedy the public nuisance. Unless a condition presents an immediate, specifically identified risk to the public health or safety, the notice shall provide a reasonable time, not less than ten days, in which to abate or commence removal of each condition identified in the notice. Written notice may be given by personal service or by first-class mail to both the occupant of the property at the property address and the owner at the last known address of the owner, if not the same. Upon a failure of the owner to pursue the removal or abatement of such nuisance without unnecessary delay, the building commissioner or designated officer may cause the condition which constitutes the nuisance to be removed or abated. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal or abatement and the proof of notice to the owner of the property shall be certified to the city clerk or officer in charge of finance who shall cause the certified cost to be included in [a special tax bill or added to] the annual real estate tax bill[, at the collecting official’s option,] for the property and the certified cost shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property from the date the tax bill is delinquent until paid.**

67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer

than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; and

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or

upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in [a special tax bill or added to] the annual real estate tax bill[, at the county collector's option,] for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property **from the date the tax bill is delinquent** until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.

67.451. Any city in which voters have approved fees to recover costs associated with enforcement of municipal housing, property maintenance, or **property** nuisance ordinances may [issue a special tax bill against] **include any unrecovered costs or fines relating to the real property in the annual real estate tax bill** for the property where such ordinance violations existed. **Notwithstanding the last sentence of subsection 5 of section 479.011,** the officer in charge of finance shall cause the amount of unrecovered costs **or unpaid fines which are delinquent for more than a year** to be [included in a special tax bill or] added to the annual real estate tax bill for the property **if such property is still owned by the person incurring the costs or fines** [at the collecting official's option,] and the costs **and fines** shall be collected by the city collector or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the [cost is] **costs and fines are not paid by December 31 of the year in which the costs and fines are included in the tax bill,** the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by laws governing delinquent and back taxes. The tax bill shall be deemed a personal debt against the owner from the date of issuance, and shall also be a lien on the property **from the date the tax bill becomes delinquent** until paid. Notwithstanding any provision of the city's charter

to the contrary, the city may provide, by ordinance, that the city may discharge **all or any portion of the unrecovered costs or fines added pursuant to this section to the [special] tax bill** upon a determination by the city that a public benefit will be gained by such discharge, and such discharge shall include any costs of tax collection, accrued interest, or attorney fees related to the [special] tax bill.”; and

Further amend said bill, Section 479.350, Page 10, Lines 14-15, by deleting all of said lines and inserting in lieu thereof the following:

“certified costs, not including fines, added to the annual real estate tax bill under section 67.398, 67.402, or 67.451;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

“304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The “commercial zone” of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city’s limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than

six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat. **The commercial zone described in this subdivision shall be extended east from the intersection of State Route 7 and U.S. Highway 50 to include the city limits of a city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and from the eastern limits of said city east along U.S. Highway 50 up to and including the intersection of U.S. Highway 50 and State Route AA, then south along State Route AA up to and including the intersection of State Route AA and State Route 58, then west along State Route 58 to include the city limits of a city of the fourth classification with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, and from the western limits of said city along State Route 58 to where State Route 58 intersects with State Route 7;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants and located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants shall extend north from the city limits along U.S. Highway 63, a state highway, to the intersection of State Route NN, and shall continue west and south along State Route NN to the intersection of State Route 124, and shall extend east from the intersection along State Route 124 to U.S. Highway 63. The commercial zone described in this subdivision shall also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations

in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 5, Section 67.398, Line 37, by inserting after all of said section and line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or any city within such county may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the

director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Early Childhood Education Sales Tax Trust Fund" and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions under sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required under sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided under section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided under sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the

question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. Notwithstanding any other provision of law, any tax authorized under the provisions of this section shall be submitted to the voters of the taxing jurisdiction for retention or repeal every five years using the same procedure by which the imposition of the tax was voted. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are in favor of retention, the tax shall continue in effect. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are not in favor of retention, the tax shall be repealed and that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum and cultural district pursuant to the provisions of sections 184.800 to 184.880 shall be filed within [five] **ten** years after the Presidential declaration establishing the disaster area.

2. The proposed district area may contain one or more parcels of real property, which may or may not be contiguous and may further include any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums and cultural asset or cultural assets and a general plan for operation of each museum and each cultural asset within the district; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

“321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that

is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

4. This section shall not apply to any fire protection district to which section 72.418 applies.”; and

Further amend said bill, Page 16, Section 479.368, Line 83, by inserting after all of said section and line the following:

“527.130. The word “person”, wherever used in sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society, **fire protection district**, or municipal or other corporation of any character whatsoever.”; and

Further amend said bill, page, Section 1, Line 10, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line the following:

“476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates **or containing, as of January 1, 2016, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS)** may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding

judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

(1) Serve process;

(2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HRB 2467**, entitled:

An Act to repeal sections 8.800, 8.805, 8.830, 8.843, 33.295, 33.700, 33.710, 33.720, 33.730, 42.300, 44.105, 51.165, 61.081, 67.5016, 71.005, 100.710, 104.342, 104.1024, 105.300, 105.310, 105.330, 105.340, 105.350, 105.353, 105.370, 105.375, 105.380, 105.385, 105.400, 105.420, 105.430, 105.440, 105.445, 135.210, 135.311, 135.575, 135.900, 135.903, 135.906, 135.909, 135.950, 137.106, 141.540, 143.105, 143.106, 143.107, 143.811, 143.1007, 144.030, 144.810, 147.020, 147.050, 160.459, 161.215, 165.011, 167.194, 168.700, 168.702, 170.051, 170.055, 170.061, 170.071, 170.081, 170.091, 170.101, 170.111, 170.131, 170.141, 170.151, 170.161, 173.197, 178.930, 196.973, 205.580, 205.590, 205.600, 205.610, 205.620, 205.630, 205.640, 205.650, 205.660, 205.670, 205.680, 205.690, 205.700, 205.710, 205.720, 205.730, 205.740, 205.750, 205.760, 208.156, 208.178, 208.630, 208.975, 208.993, 209.015, 210.027, 210.105, 210.114, 211.447, 226.805, 251.650, 261.295, 288.036, 288.121, 288.128, 288.131, 301.562, 324.028, 324.159, 324.406, 326.265, 327.451, 329.025, 330.190, 332.041, 334.100, 334.506, 334.570, 334.610, 334.613, 334.618, 334.686, 335.036, 336.160, 337.030, 337.347, 337.507, 337.612, 337.662, 337.712, 338.130, 339.120, 345.035, 376.1192, 382.277, 386.145, 386.890, 393.1025, 393.1030, 407.485, 414.350, 414.353, 414.356, 414.359, 414.400, 414.406, 414.412, 414.417, 414.510, 442.018, 620.050, 620.511, 620.512, 620.513, 640.150, 640.153, 640.155, 640.157, 640.160, 640.219, 640.651, 640.653,

660.135, 701.500, and 701.509, RSMo, and section 302.700 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof ninety-eight new sections for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 994**, entitled:

An Act to repeal sections 262.823, 311.205, and 311.373, RSMo, and to enact in lieu thereof three new sections relating to alcohol.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 994, Page 2, Section 311.373, Lines 1-3, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said line the following:

“311.060. 1. No person shall be granted a license hereunder unless such person is of good moral character and a qualified legal voter and a taxpaying citizen of the county, town, city or village, nor shall any corporation be granted a license hereunder unless the managing officer of such corporation is of good moral character and a qualified legal voter and taxpaying citizen of the county, town, city or village; and, **except as otherwise provided under subsection 7 of this section**, no person shall be granted a license or permit hereunder whose license as such dealer has been revoked, or who has been convicted, since the ratification of the twenty-first amendment to the Constitution of the United States, of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who employs in his or her business as such dealer any person whose license has been revoked **unless five years have passed since the revocation as provided under subsection 6 of this section**, or who has been convicted of violating such law since the date aforesaid; provided, that nothing in this section contained shall prevent the issuance of licenses to nonresidents of Missouri or foreign corporations for the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquors to, by or through a duly licensed wholesaler, within this state.

2. (1) No person, partnership or corporation shall be qualified for a license under this law if such person, any member of such partnership, or such corporation, or any officer, director, or any stockholder owning, legally or beneficially, directly or indirectly, ten percent or more of the stock of such corporation, or other financial interest therein, or ten percent or more of the interest in the business for which the person, partnership or corporation is licensed, or any person employed in the business licensed under this law shall

have had a license revoked under this law **except as otherwise provided under subsections 6 and 7 of this section**, or shall have been convicted of violating the provisions of any law applicable to the manufacture or sale of intoxicating liquor since the ratification of the twenty-first amendment to the Constitution of the United States, or shall not be a person of good moral character.

(2) No license issued under this chapter shall be denied, suspended, revoked or otherwise affected based solely on the fact that an employee of the licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor. Each employer shall report the identity of any employee convicted of a felony to the division of liquor control. The division of liquor control shall promulgate rules to enforce the provisions of this subdivision.

(3) No wholesaler license shall be issued to a corporation for the sale of intoxicating liquor containing alcohol in excess of five percent by weight, except to a resident corporation as defined in this section.

3. A “resident corporation” is defined to be a corporation incorporated under the laws of this state, all the officers and directors of which, and all the stockholders, who legally and beneficially own or control sixty percent or more of the stock in amount and in voting rights, shall be qualified legal voters and taxpaying citizens of the county and municipality in which they reside and who shall have been bona fide residents of the state for a period of three years continuously immediately prior to the date of filing of application for a license, provided that a stockholder need not be a voter or a taxpayer, and all the resident stockholders of which shall own, legally and beneficially, at least sixty percent of all the financial interest in the business to be licensed under this law; provided, that no corporation, licensed under the provisions of this law on January 1, 1947, nor any corporation succeeding to the business of a corporation licensed on January 1, 1947, as a result of a tax-free reorganization coming within the provisions of Section 112, United States Internal Revenue Code, shall be disqualified by reason of the new requirements herein, except corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight, or owned or controlled, directly or indirectly, by nonresident persons, partnerships or corporations engaged in the manufacture of alcoholic beverages containing alcohol in excess of five percent by weight.

4. The term “financial interest” as used in this chapter is defined to mean all interest, legal or beneficial, direct or indirect, in the capital devoted to the licensed enterprise and all such interest in the net profits of the enterprise, after the payment of reasonable and necessary operating business expenses and taxes, including interest in dividends, preferred dividends, interest and profits, directly or indirectly paid as compensation for, or in consideration of interest in, or for use of, the capital devoted to the enterprise, or for property or money advanced, loaned or otherwise made available to the enterprise, except by way of ordinary commercial credit or bona fide bank credit not in excess of credit customarily granted by banking institutions, whether paid as dividends, interest or profits, or in the guise of royalties, commissions, salaries, or any other form whatsoever.

5. The supervisor shall by regulation require all applicants for licenses to file written statements, under oath, containing the information reasonably required to administer this section. Statements by applicants for licenses as wholesalers and retailers shall set out, with other information required, full information concerning the residence of all persons financially interested in the business to be licensed as required by regulation. All material changes in the information filed shall be promptly reported to the supervisor.

6. Any person whose license or permit issued under this chapter has been revoked shall be automatically eligible to work as an employee of an establishment holding a license or permit under this chapter five years after the date of the revocation.

7. Any person whose license or permit issued under this chapter has been revoked shall be eligible to apply and be qualified for a new license or permit five years after the date of the revocation. The person may be issued a new license or permit at the discretion of the division of alcohol and tobacco control. If the division denies the request for a new permit or license, the person may not submit a new application for five years from the date of the denial. If the application is approved, the person shall pay all fees required by law for the license or permit. Any person whose request for a new license or permit is denied may seek a determination by the administrative hearing commission as provided under section 311.691.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said section and line the following:

“311.091. 1. Except as provided under subsection 2 of this section and notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of alcohol and tobacco control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry [one hundred] **thirty** or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. [Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

3.] For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 994, Page 2, Section 311.373, Line 3, by inserting after all of said section and line the following:

“311.950. 1. Notwithstanding any provision of law to the contrary, entertainment facilities including, but not limited to, arenas and stadiums used primarily for concerts, shows, and sporting events of any kind and entities selling concessions at such facilities that possess all necessary and valid licenses and permits to allow for the sale of alcoholic beverages shall not be prohibited from selling and delivering alcoholic beverages purchased through the use of mobile applications to individuals attending events on the premises of such facilities if the facilities are in compliance with all applicable state laws and regulations regarding the sale of alcoholic beverages.

2. For purposes of this section, the term “mobile application” shall mean a computer program or software designed to be used on hand-held mobile devices such as cellular phones and tablet computers.

3. Any employee of a facility or entity selling concessions at a facility who delivers an alcoholic beverage purchased through a mobile application to an individual shall require the individual to show a valid, government-issued identification document that includes the photograph and birth date of the individual, such as a driver’s license, and shall verify that the individual is twenty-one years of age or older before the individual is allowed possession of the alcoholic beverage.

4. The division of alcohol and tobacco control may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 994, Page 5, Line 1, by inserting after all of said line the following:

“Further amend said bill and Page, Section 311.373, Line 3, by inserting immediately after all of said section and line the following:

“Section B. The enactment of section 311.198 of section A of this act shall become effective January 1, 2017.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 994, Page 2, Section 262.823, Line 19, by inserting after all of said section and line the following:

“311.195. 1. As used in this section, the term “microbrewery” means a business whose primary activity is the brewing and selling of beer, with an annual production of ten thousand barrels or less.

2. A microbrewer’s license shall authorize the licensee to manufacture beer and malt liquor in quantities not to exceed ten thousand barrels per annum. In lieu of the charges provided in section 311.180, a license fee of five dollars for each one hundred barrels or fraction thereof, up to a maximum license fee of two hundred fifty dollars, shall be paid to and collected by the director of revenue.

3. Notwithstanding any other provision of this chapter to the contrary, the holder of a microbrewer’s license may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell **all kinds of intoxicating liquor, as defined in this chapter**, by the drink at retail for consumption on the premises **of the microbrewery or in close proximity to the microbrewery**. No holder of a microbrewer’s license, or any employee, officer, agent, subsidiary, or affiliate thereof, shall have more than ten licenses to sell intoxicating liquor by the drink at retail for consumption on the premises. [The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to the holder of a license issued under the provisions of this section in the same manner as they apply to establishments licensed under the provisions of section 311.085, 311.090, 311.095, or 311.097.]

4. The holder of a microbrewer’s license may also sell beer and malt liquor produced on the brewery premises to duly licensed wholesalers. However, holders of a microbrewer’s license shall not, under any circumstances, directly or indirectly, have any financial interest in any wholesaler’s business, and all such sales to wholesalers shall be subject to the restrictions of sections 311.181 and 311.182.

5. A microbrewer who is a holder of a license to sell intoxicating liquor by the drink at retail for consumption on the premises shall be exempt from the provisions of section 311.280, for such intoxicating liquor that is produced on the premises in accordance with the provisions of this chapter. For all other intoxicating liquor sold by the drink at retail for consumption on the premises that the microbrewer possesses a license for must be obtained in accordance with section 311.280.

311.198. 1. Notwithstanding any other provision of law, rule, or regulation to the contrary, a brewer may lease to the retail licensee and the retail licensee may accept portable refrigeration units at a total lease value equal to the cost of the unit to the brewer plus two percent of the total lease value as of the execution of the lease. Such portable refrigeration units shall remain the property of the brewer. The brewer may also enter into lease agreements with wholesalers, who may enter into sublease agreements with retail licensees in which the value contained in the sublease is equal to the unit cost to the brewer plus two percent of the total lease value as of the execution of the lease. If the lease agreement is with a wholesaler, the portable refrigeration units shall become the property of the wholesaler at the end of the lease period, which is to be defined between the brewer and the wholesaler. A wholesaler shall not directly or indirectly fund the cost or maintenance of the portable refrigeration units. Brewers shall be responsible for maintaining adequate records of retailer payments to be able to verify fulfillment of lease agreements. No portable refrigeration unit may exceed forty cubic feet in storage space. A brewer may lease, or wholesaler may sublease, not more than one portable refrigeration unit per retail location. For the purposes of this section, a brewer shall include any business whose primary activity is the brewing, manufacturing, and selling of intoxicating liquor along with such business’s wholly and partially owned subsidiaries, parent or holding companies, interest holders, or affiliates thereof. Such portable refrigeration unit may bear in a

conspicuous manner substantial advertising matter about a product or products of the brewer and shall be visible to consumers inside the retail outlet. Notwithstanding any other provision of law, rule, regulation, or lease to the contrary, the retail licensee is hereby authorized to stock, display, and sell any product in and from the portable refrigeration units. No dispensing equipment shall be attached to a leased portable refrigeration unit, and no beer, wine, or intoxicating liquor shall be dispensed directly from a leased portable refrigeration unit. Any brewer or wholesaler that provides portable refrigeration units shall within thirty days thereafter notify the division of alcohol and tobacco control on forms designated by the division of the location, lease terms, and total cubic storage space of the units. The division is hereby given authority, including rulemaking authority, to enforce this section and to ensure compliance by having access to and copies of lease, payment, and portable refrigeration unit records and information.

2. Any lease or sublease executed under this section shall not exceed five years in duration and shall not contain any provision allowing for or requiring the automatic renewal of the lease or sublease.

3. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2017, shall be invalid and void.

4. This section shall expire on January 1, 2020. Any lease or sublease executed under this section prior to January 1, 2020, shall remain in effect until the expiration of such lease or sublease.

311.201. 1. Any person who is licensed to sell intoxicating liquor in the original package at retail as provided in subsection 1 of section 311.200 may sell from thirty-two to one hundred twenty-eight fluid ounces of draft beer to customers in containers filled by any employee of the retailer on the premises for consumption off such premises. Any employee of the licensee shall be at least twenty-one years of age to fill containers with draft beer.

2. No provision of law, rule, or regulation of the supervisor of alcohol and tobacco control shall be interpreted to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to furnish dispensing or cooling equipment, or containers that are filled or refilled under subsection 1 of this section, to any person who is licensed to sell intoxicating liquor in the original package at retail as provided in subsection 1 of section 311.200.

3. (1) Containers that are filled or refilled under subsection 1 of this section shall be affixed with a label or a tag that shall contain the following information in type not smaller than three millimeters in height and not more than twelve characters per inch:

- (a) Brand name of the product dispensed;
- (b) Name of brewer or bottler;
- (c) Class of product, such as beer, ale, lager, bock, stout, or other brewed or fermented beverage;
- (d) Net contents;

(e) Name and address of the business that filled or refilled the container;

(f) Date of fill or refill;

(g) The following statement: “This product may be unfiltered and unpasteurized. Keep refrigerated at all times.”.

(2) Containers that are filled or refilled under subsection 1 of this section shall be affixed with the alcoholic beverage health warning statement as required by the Federal Alcohol Administration Act, 27 CFR Sections 16.20 to 16.22.

4. (1) The filling and refilling of containers shall only occur on demand by a customer and containers shall not be prefilled by the retailer or its employee.

(2) Containers shall only be filled or refilled by an employee of the retailer.

(3) Containers shall be filled or refilled as follows:

(a) Containers shall be filled or refilled with a tube as described in subdivision (4) of this subsection and:

a. Food grade sanitizer shall be used in accordance with the Environmental Protection Agency registered label use instructions;

b. A container of liquid food-grade sanitizer shall be maintained for no more than ten malt beverage taps that will be used for filling and refilling containers;

c. Each container shall contain no fewer than five tubes that will be used only for filling and refilling containers;

d. The container shall be inspected visually for contamination;

e. After each filling or refilling of a container, the tube shall be immersed in the container with the liquid food-grade sanitizer; and

f. A different tube from the container shall be used for each filling or refilling of a container; or

(b) Containers shall be filled or refilled with a contamination-free process and:

a. The container shall be inspected visually for contamination;

b. The container shall only be filled or refilled by the retailer’s employee; and

c. The filling or refilling shall be in compliance with the Food and Drug Administration Code 2009, Section 3-304.17(c).

(4) Containers shall be filled or refilled from the bottom of the container to the top with a tube that is attached to the malt beverage faucet and extends to the bottom of the container or with a commercial filling machine.

(5) When not in use, tubes to fill or refill shall be immersed and stored in a container with liquid food-grade sanitizer.

(6) After filling or refilling a container, the container shall be sealed as set forth in subsection 1 of this section.”; and

Further amend said bill, Page 2, Section 311.205, Line 11, by inserting after all of said section and line the following:

“311.328. 1. A valid and unexpired operator’s or chauffeur’s license issued under the provisions of section 302.177, or a valid and unexpired operator’s or chauffeur’s license issued under the laws of any state or territory of the United States to residents of those states or territories, or a valid and unexpired identification card **or nondriver’s license** as provided for under section 302.181, **or a valid and unexpired nondriver’s license issued under the laws of any state or territory of the United States to residents of those states or territories**, or a valid and unexpired identification card issued by any uniformed service of the United States, or a valid and unexpired passport shall be presented by the holder thereof upon request of any agent of the division of alcohol and tobacco control or any licensee or the servant, agent or employee thereof for the purpose of aiding the licensee or the servant, agent or employee to determine whether or not the person is at least twenty-one years of age when such person desires to purchase or consume alcoholic beverages procured from a licensee. Upon such presentation the licensee or the servant, agent or employee thereof shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.

2. Upon proof by the licensee of full compliance with the provisions of this section, no penalty shall be imposed if the supervisor of the division of alcohol and tobacco control or the courts are satisfied that the licensee acted in good faith.

3. Any person who shall, without authorization from the department of revenue, reproduce, alter, modify, or misrepresent any chauffeur’s license, motor vehicle operator’s license or identification card shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand dollars, and confinement for not more than one year, or by both such fine and imprisonment.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2473**, entitled:

An Act to repeal sections 610.100 and 610.200, RSMo, and to enact in lieu thereof two new sections relating to law enforcement records, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Richard referred **HJR 58**; **HCS** for **HB 1463**; **HCS** for **HB 1941**, with **SCS**; and **HCS** for **HB 1759**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 663**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1443**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 2150**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 1464**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 663**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 663

An Act to repeal sections 57.111, 192.2260, 192.2405, 211.059, 217.360, 217.670, 217.690, 217.722, 301.559, 304.351, 311.310, 327.272, 339.100, 400.9-501, 476.083, 477.650, 488.2206, 541.033, 542.296, 544.250, 545.400, 545.490, 562.014, 563.031, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 569.132, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, 578.416, 579.015, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.055, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, 556.046 as enacted by senate bill no.

491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010, 577.012, 577.013, and 577.014 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof eighty-eight new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Was taken up.

On motion of Senator Dixon, **SS** for **SCS** for **SB 663** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Holsman	Keaveny	Schaaf	Schupp	Walsh—6
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Absent—Senators

Nasheed	Sifton—2
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Absent with leave—Senator Chappelle-Nadal —1

Vacancies—2

The President declared the bill passed.

The emergency clause failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—22

NAYS—Senators

Curls	Holsman	Keaveny	Schaaf	Schupp—5
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Absent—Senators

Nasheed	Sater	Sifton	Walsh—4
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Absent with leave—Senator Chappelle-Nadal —1

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **HB 1631**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Kraus, **SS** for **SCS** for **HB 1631**, was withdrawn, rendering **SA 2** moot.

Senator Kraus offered **SS No. 2** for **SCS** for **HB 1631**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1631

An Act to repeal section 115.427, RSMo, and to enact in lieu thereof one new section relating to elections, with a contingent effective date.

Senator Kraus moved that **SS No. 2** for **SCS** for **HB 1631** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1631, Page 6, Section 115.427, Line 24, by inserting after “(1)” the following: “**(a)**”; and further amend line 28, by inserting at the end of said line the following: “**or**”; and

Further amend said bill and section line 1, by striking “(2)” and inserting in lieu thereof the following: “**(b)**”; and further amend line 6, by striking “(3)” and inserting in lieu thereof the following: “**(2)**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS No. 2** for **SCS** for **HB 1631**, as amended, be adopted, which motion prevailed.

Senator Onder assumed the Chair.

Senator Kraus moved that **SS No. 2** for **SCS** for **HB 1631**, as amended, be read the 3rd time and was recognized to close.

President Pro Tem Richard referred **SS No. 2** for **SCS** for **HB 1631**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

HJR 53, introduced by Representative Dugger, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

Was taken up by Senator Kraus.

Senator Kraus offered **SS** for **HJR 53**, entitled:

SENATE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 53

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

Senator Kraus moved that **SS** for **HJR 53** be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **HJR 53** be read the 3rd time and was recognized to close.

President Pro Tem Richard referred **SS** for **HJR 53** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 788**, with **SCS** and **SS** for **SCS** (pending) be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **SB 788** be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **SB 788** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HB 1643, introduced by Representative Hicks, entitled:

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

Was taken up by Senator Brown.

Senator Wallingford assumed the Chair.

Senator Sifton offered **SA 1**:

HOUSE AMENDMENT NO. 1

Amend House Bill No. 1643, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “the welfare of students.”; and

Further amend said bill, page 2, section 170.310, line 31, by inserting immediately after said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” shall be defined as a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of nineteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction appointed by the speaker of the house of representatives;

(4) A representative from a state teachers association appointed by the president pro tempore of the senate;

(5) A representative from the International Dyslexia Association of Missouri appointed by the speaker of the house of representatives;

(6) A representative from Decoding Dyslexia of Missouri appointed by the president pro tempore of the senate;

(7) A representative from the Missouri Association of Elementary School Principals appointed by the speaker of the house of representatives;

(8) A representative from the Missouri Council of Administrators of Special Education appointed by the president pro tempore of the senate;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist appointed by the speaker of the house of representatives;

(10) A speech-language pathologist with training in an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association to be appointed by the pro tempore of the senate;

(11) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state appointed by the president pro tempore of the senate;

(12) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia appointed by the speaker of the house of representatives;

(13) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council appointed by the president pro tempore of the senate;

(14) One private citizen who has a child that has been diagnosed with dyslexia appointed by the speaker of the house of representatives;

(15) One private citizen who has been diagnosed with dyslexia appointed by the president pro tempore of the senate; and

(16) A pediatrician with knowledge of dyslexia to be appointed by the speaker of the house of representatives.

4. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and general assembly and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Determine valid and reliable diagnostic assessments and protocols that can be used and the appropriate personnel to administer the assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system in schools;

(2) Recommend a research-based instruction and intervention system including a list of approved dyslexia therapy programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support, and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and in-service professional development activities to

address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically terminate on August 31, 2018, unless reauthorized by an act of the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Schupp offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend House Bill No. 1643, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “the welfare of students.”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“170.047. 1. Beginning in the 2017-2018 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all

of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including plans for how the district will provide for the training and education of its district employees.

2. Each district's policy shall include, but not be limited to the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;
- (2) Strategies and protocols for helping students at possible risk of suicide; and
- (3) Protocols for responding to a suicide death.

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Curls, Holsman, Keaveny and Schupp.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Keaveny	Kraus	Nasheed	Schaaf	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Wallingford	Wasson	Wieland—20	

Absent—Senator Schmitt—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—2

At the request of Senator Brown, **HB 1643** was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 788**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 867**, entitled:

An Act to repeal sections 72.418, 99.845, 137.115, 137.565, 233.180, 233.295, and 347.048, RSMo, and to enact in lieu thereof eight new sections relating to political subdivisions.

With House Amendment No. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, House Amendment No. 1 to House Amendment No. 19, House Amendment No. 2 to House Amendment No. 19 and House Amendment No. 19, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting the following after all of said line:

“67.5110. 1. As used in this section, the following terms mean:

(1) **“Facilitation platform”**, an intermediary that facilitates the rental of a residential dwelling rental and collects payment from a transient guest, but not including an entity that acts solely as a property manager;

(2) **“Marketing platform”**, an intermediary that facilitates the rental of a residential dwelling rental, but does not collect payment from a transient guest;

(3) **“Owner”**, a person who offers a residential dwelling rental to transient guests;

(4) **“Political subdivision”**, any county, city, town, village, or township;

(5) **“Residential dwelling”**, any building, structure, or part of the building or structure, that is used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging to it or enjoyed with it. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;

(6) **“Residential dwelling rental”**, a residential dwelling or any part thereof that is offered for rent to transient guests. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;

(7) “Transient guest”, any person who rents and occupies a guest room in a residential dwelling rental for a period of less than thirty-one days in any calendar quarter; provided, however, that “transient guest” shall not mean an occupant under a lease agreement.

2. A political subdivision may not enact or enforce an ordinance that prohibits or unreasonably restricts residential dwelling rentals, or that regulates or otherwise restricts residential dwelling rentals based solely on their classification, use, or occupancy as a residential dwelling unit.

3. The provisions of subsection 2 of this section shall not prohibit a political subdivision from applying and enforcing any ordinance in effect prior to August 28, 2016.

4. Nothing in this section limits the authority of a political subdivision to enact or enforce an ordinance that imposes reasonable restrictions on residential dwelling rentals in any of the following areas:

(1) Protection of the public’s health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation and traffic control, solid and hazardous wastes, and pollution control;

(2) Local taxes that may be imposed on residential dwelling rentals to transient guests;

(3) A requirement that any person who rents out his or her residential dwellings shall obtain a business license and pay an annual license fee;

(4) The imposition or payment of inspection fees for residential dwellings;

(5) Posting requirements for licenses, certificates, or registrations as well as emergency procedures;

(6) Response time periods for complaints and short-term renter concerns;

(7) Nuisances related to residential dwellings;

(8) Age requirements for renters;

(9) Off-street parking requirements; or

(10) Zoning requirements.

5. A transient guest shall pay and an owner shall collect and remit any applicable taxes on the occupancy of a residential dwelling rental imposed by the state or by the municipality, county, or local taxing entity in which the residential dwelling is located, whether the tax imposed be a sales tax, hotel tax, occupancy tax, or otherwise. When an owner uses a facilitation platform, the facilitation platform shall collect and remit on behalf of the owner any such applicable taxes on the occupancy of a residential dwelling rental by a transient guest. A marketing platform shall:

(1) Disclose in its terms of service the obligation to pay any applicable taxes to both the transient guest and the owner of the residential dwelling;

(2) Require as a term of service that the transient guest and the owner of the residential dwelling acknowledge the obligation to pay any applicable taxes; and

(3) Maintain records of any rentals facilitated for a period of three years for audits requested

by a tax administrator and conducted during normal business hours.

6. For purposes of the collection and remittance by a facilitation platform of any state sales tax on the occupancy of a residential dwelling rental, the provisions of sections 32.010 to 32.096, sections 136.101 to 136.380, and sections 144.010 to 144.525 shall apply.

7. Prior to facilitating a residential dwelling rental to a transient guest, a facilitation platform and a marketing platform shall require as a term of service that the owner of a residential dwelling rental certifies that the residential dwelling rental meets all applicable state and local requirements.”;
and

Further amend said bill, Page 25, Section 233.295, Line 105, by inserting the following after all of said line:

“315.005. As used in sections 315.005 to 315.065, unless the context clearly indicates otherwise, the following terms mean:

(1) “Code”, the standards relating to fire safety, sanitation, electrical wiring, fuel-burning appliances, plumbing, swimming pools and spas, sewage and waste treatment and disposal as adopted by the department. The department in its discretion, may incorporate, in whole or in part, the standards or codes promulgated by the National Fire Protection Association, Building

Officials and Code Administration International, Inc., Great Lakes Upper Mississippi River Board of State Sanitary Engineers, and American Society of Sanitary Engineers;

(2) “Department”, the director of the department of health and senior services or an agent of the director of the department of health and senior services;

(3) “Guest room”, any room or unit where sleeping accommodations are regularly furnished to the public;

(4) “Lodging establishment”, any building, group of buildings, structure, facility, place, or places of business where five or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests;

(5) “Owner”, the person responsible for obtaining a license from the department for operating the lodging establishment;

(6) “Permanent guest”, any person who rents and occupies a guest room in a lodging establishment for a period of thirty-one days or more;

(7) “Person”, any individual, partnership, corporation, association, organization, firm, or federal, state, county, city, village, or municipal association or corporation;

(8) “Transient guest”, any person who rents and occupies a guest room in a lodging establishment for a period of less than thirty-one days **in any calendar quarter.”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “County Sales Tax Trust Fund”. The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the [county] treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, “Group A” and “Group B”. Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio

that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From [and after] January 1, 1994, **until December 31, 2016**, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection **and in subsection 6**. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) **From and after January 1, 2017, in each year in which the total revenues from the county sales tax collected under sections 66.600 to 66.630 in the previous calendar year is less than or equal to the amount of such revenues which were collected in the calendar year 2014, the director of revenue shall distribute to the cities, towns, and villages in group A and the cities, towns, and villages, and the county in group B, the amounts required to be distributed under the formula described in subsection 4 and in subsection 6 of this section. From and after January 1, 2017, in each year in which the total revenues from the county sales tax collected under sections 66.600 to 66.630 in the previous calendar year is greater than the amount of such revenues which were collected in the calendar year 2014, the director of revenue shall distribute to the cities, towns, and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087, in accordance with the formula described in this subsection and in subsection 6. After deducting the distribution to the cities, towns, and villages in group A, the director of revenue shall, subject to the limitation described in subdivision (2) of this subsection, distribute funds in the county sales tax trust fund to the cities, towns, and villages, and the county in group B as follows: to the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B as adjusted such that no city, town, or village in group B shall receive a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087; and to each city, town, or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the**

percentage ratio that the population of such city, town, or village bears to the total population of group B, as adjusted such that no city, town, or village in group B shall receive a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087; and to each city, town, or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town, or village located within the taxing county bears to the total population of group B, as adjusted such that no city, town, or village in group B shall receive a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087.

(2) For purposes of making any adjustment required by this subsection, the director of revenue shall, prior to any distribution to the county or to each city, town, or village in group B located wholly or partly within the taxing county, identify each city, town, or village in group B located wholly or partly within the taxing county that would receive a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 if no adjustments were made and calculate the difference between the amount that the distribution to each such city, town, or village would have been without any adjustment and the amount that equals fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Thereafter, the director of revenue shall determine the amount of any adjustment under this subsection as follows:

(a) If the aggregate amount of the difference calculated in accordance with this subsection is less than or equal to the aggregate increase in the remaining distributable revenue for the applicable period in the current calendar year over the remaining distributable revenue for the corresponding period in the calendar year 2014, the director of revenue shall deduct the amount of such difference from the remaining distributable revenue and distribute an allocable portion of the amount of such difference to each city, town, or village that would otherwise have received a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 if no adjustment were made, such that each such city, town, or village receives a distribution that is equal to fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087;

(b) If, however, the aggregate amount of the difference calculated in accordance with this subsection is greater than the aggregate increase in the remaining distributable revenue for the applicable period in the current calendar year over the remaining distributable revenue for the corresponding period in the calendar year 2014, the director of revenue shall deduct from the remaining distributable revenue an amount equal to the difference between the remaining distributable revenue for the applicable period in the current calendar year and the remaining distributable revenue for the corresponding period in the calendar year 2014 and distribute an allocable portion of the amount of such difference to each city, town, or village that would otherwise

have received a distribution that is less than fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 if no adjustment were made, such that each such city, town, or village receives a distribution that includes an adjustment that is proportionate to the amount of the adjustment that would otherwise have been made if such adjustment were calculated in accordance with paragraph (a) of this subsection;

(c) After determining the amount of the adjustment and making the allocation in accordance with paragraph (a) or (b) of this subsection, as applicable, the director of revenue shall thereafter distribute the remaining distributable revenue, as adjusted, to the county and to each city, town, or village in group B located wholly or partly within the taxing county in the manner provided in this subsection.

(3) For purposes of this subsection, if a city, town, or village is partly in group A and partly in group B, the director of revenue shall calculate fifty percent of the amount of taxes generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 by multiplying fifty percent by the amount of all county sales taxes collected by the director of revenue under sections 66.600 to 66.630, less one percent for cost of collection, that are generated within such city, town, or village based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087, regardless of whether such taxes are deemed consummated in group A or group B.

6. (1) For purposes of administering the distribution formula of [subsection] **subsections 4 and 5** of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the “adjusted county average” is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the “redistribution formula” is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of

cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term “economic development funds” means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

[6.] 7. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city,

town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

[7.] **8.** If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the

incorporation.

[8.] **9.** The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

[9.] **10.** Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.”; and

Further amend said bill, Page 16, Section 99.845, Line 335, by inserting after all of said section and line the following:

“94.860. 1. Notwithstanding the provisions of subsection 1 of section 67.582, the governing body of a charter county with a population of nine hundred fifty thousand or more is authorized to impose by ordinance a sales tax in the amount of up to one-half of one percent on all retail sales made in the part of the county outside of incorporated cities, towns, and villages which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services to such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters residing in the part of the county outside of incorporated cities, towns, and villages, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot submission for the proposal to authorize imposition of the tax authorized by this section shall contain substantially the following language:

Shall (insert the name of the charter county) impose a sales tax of (insert sales tax amount) in the part of (insert the name of the charter county) outside of incorporated cities, towns, and villages for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance and any amendments thereto shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the

required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted sooner than thirty-six months from the date of the last proposal pursuant to this section. If a majority of the voters fail to approve such proposal the second time offered, then the governing body of the county shall have no power to impose the sales tax authorized by this section or submit such proposal to the qualified voters a third time.

3. The revenue received by a county treasurer from the tax authorized under the provisions of this section shall be deposited in a special trust fund and used solely for providing law enforcement services in the part of the county outside of incorporated cities, towns, and villages, for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities serving the part of the county outside of incorporated cities, towns, and villages. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

4. The sales taxes collected by the director of revenue pursuant to this section on behalf of a charter county with a population of nine hundred fifty thousand or more shall be deposited in the "County Law Enforcement Sales Tax Trust Fund" created by subsection 5 of section 67.582, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trusts and which were collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of the officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during each month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the tax authorized by this section shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance adopted by the governing body submitting the tax to the voters.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, or two percent of the amount collected after receipt of such notice to cover possible refunds and overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the accounts of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from the receipts due to the county.

6. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 867, Pages 16 to 21, Section 137.115, Line 1-187, by removing all of said section from the bill and inserting in lieu thereof the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor’s deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor’s city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor’s books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor’s plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made

by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word “comparable” means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than [fifty] **two hundred fifty** hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision [(6)] **(5)** of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is **deemed to be** real estate [as defined in] **under** subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is **deemed to be** real estate [as defined in] **under** subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall

include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

17. Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political

subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that is in use or available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.565, Line 13, by inserting immediately after said line the following:

"182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants; **or**

(i) Any county of the third classification with more than thirteen thousand nine hundred but fewer than fourteen thousand inhabitants.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the

voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, “qualified voters” or “voters” means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term “public library district” shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 867, Page 2, Line 12, by inserting after all of said line the following:

“Further amend said bill, Page 21, Section 137.565, Line 13, by inserting after all of said section and line the following:

“184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum and cultural district pursuant to the provisions of sections 184.800 to 184.880 shall be filed within [five] **ten** years after the Presidential declaration establishing the disaster area.

2. The proposed district area may contain one or more parcels of real property, which may or may not be contiguous and may further include any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums and cultural asset or cultural assets and a general plan for operation of each museum and each cultural asset within the district; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 867, Page 16, Section 99.845, Line 335, by inserting after all of said section and line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate

compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale;

(11) That portion of privately owned land subject to a railroad easement upon which a railroad right-of-way exists and a state, political subdivision, or qualified organization has assumed responsibility for as provided in Section 16 U.S.C. 1247(d)."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.565, Line 13, by inserting immediately after all of said line the following:

"227.432. The portion of Interstate 470 at the interchange with Woods Chapel Road continuing to Lakewood Boulevard in Jackson County shall be designated as the "Judge Vincent E. Baker Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 867, Page 9, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.

311.179. 1. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail in an international airport located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants may apply to the supervisor of [liquor control] **alcohol and tobacco control** for a special permit[. The permit shall allow] **which:**

(1) **Allows** the premises located in the international airport in such county to open at 4 a.m. and sell intoxicating liquor by the drink at retail for consumption [on the premises where sold]. The provisions of this section and not those of section 311.097 regarding the time of opening shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises where sold on Sunday[.];

(2) **Allows persons to leave licensed establishments with an alcoholic beverage and enter other airport designated areas located within such airport. No person shall take any alcoholic beverage or beverages outside such designated areas, including onto any airplane; and**

(3) **Requires every licensee within such international airport to serve alcoholic beverages in containers that display and contain the licensee's trade name or logo or some other mark that is unique to that license and licensee.**

2. An applicant granted a special permit pursuant to this section shall, in addition to all other fees required by this chapter, pay an additional fee of three hundred dollars a year payable at the time and in the same manner as its other license fees.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“1.100. 1. The population of any political subdivision of the state for the purpose of representation or other matters including the ascertainment of the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants is determined on the basis of the last previous decennial census of the United States. For the purposes of this section the effective date of the 1960 decennial census of the United States is July 1, 1961, and the effective date of each succeeding decennial census of the United States is July first of each tenth year after 1961; except that for the purposes of ascertaining the salary of any county officer for any year or for the amount of fees he may retain or the amount he is allowed to pay for deputies and assistants the effective date of the 1960 decennial census of the United States is January 1, 1961, and the effective date of each succeeding decennial census is January first of each tenth year after 1961.

2. Any law which is limited in its operation to counties, cities or other political subdivisions having a specified population or a specified assessed valuation shall be deemed to include all counties, cities or political subdivisions which thereafter acquire such population or assessed valuation as well as those in that category at the time the law passed. Once a city, [not located in a] county, **or political subdivision** has come under the operation of such a law a subsequent [loss of] **change in** population shall not remove that city, **county, or political subdivision** from the operation of that law **regardless of whether the city, county, or political subdivision comes under the operation of the law after the law was passed. Such was the intent of the general assembly in the original enactment of this section.** No person whose compensation is set by a statutory formula, which is based in part on a population factor, shall have his compensation reduced due solely to an increase in the population factor.”; and

Further amend said bill, Page 6, Section 72.418, Line 194, by inserting after all of said line the following:

“99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects.

Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. **This includes reasonable third party expenses incurred by the municipality including payroll expense plus benefits for personnel of the municipality to administer the redevelopment project.** The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section. **For any project exceeding one hundred million dollars in cumulative TIF reimbursable expense, total costs shall not exceed two and one half percent of the reimbursed amount, as incurred and assessed on an annual basis for projects approved after January 1, 2013. For projects which have less than one hundred million dollars in cumulative TIF reimbursable expense, total costs shall not exceed three and one half percent of the reimbursed amount.**

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. Members appointed by the county executive or presiding commissioner prior to August 28, 2008, shall continue their service on the commission established in subsection 3 of this section without further appointment unless the county executive or presiding commissioner appoints a new member or members.

3. Beginning August 28, 2008:

(1) In lieu of a commission created under subsection 2 of this section, any city, town, or village in a county with a charter form of government and with more than one million inhabitants, in a county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, create a commission consisting of twelve persons to be appointed as follows:

(a) Six members appointed either by the county executive or presiding commissioner; notwithstanding any provision of law to the contrary, no approval by the county's governing body shall be required;

(b) Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;

(c) Two members appointed by the school boards whose districts are included in the county in a manner in which the school boards agree; and

(d) One member to represent all other districts levying ad valorem taxes in the proposed redevelopment area in a manner in which all such districts agree.

No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;

(2) Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or presiding commissioner, to the school districts whose boundaries include any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.

4. (1) Any commission created under this section, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830.

(2) Any commission created under subsection 2 of this section shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

(3) Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as determined by counsel to the city, town, or village creating the commission and a request by the applicable city, town, or village for a public hearing, fix a time and place for the public hearing referred to in section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects, and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. If the commission fails to vote within thirty days following the completion of the public hearing referred to in section 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the commission.”; and

Further amend said bill, Page 21, Section 137.565, Line 13, by inserting after all of said line the following:

“197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change

orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; **or**

(2) Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.”; and

Further amend said bill, Page 25, Section 233.295, Line 105, by inserting after all of said section and line the following:

“304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The “commercial zone” of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city’s limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat. **The commercial zone described in this subdivision shall be extended east from the intersection of State Route 7 and U.S. Highway 50 to**

include the city limits of a city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and from the eastern limits of said city east along U.S. Highway 50 up to and including the intersection of U.S. Highway 50 and State Route AA, then south along State Route AA up to and including the intersection of State Route AA and State Route 58, then west along State Route 58 to include the city limits of a city of the fourth classification with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, and from the western limits of said city along State Route 58 to where State Route 58 intersects with State Route 7;

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants and located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants shall extend north from the city limits along U.S. Highway 63, a state highway, to the intersection of State Route NN, and shall continue west and south along State Route NN to the intersection of State Route 124, and shall extend east from the intersection along State Route 124 to U.S. Highway 63. The commercial zone described in this subdivision shall also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.”; and

Further amend said bill, Page 1, Section 347.048, Line 18, by inserting after all of said line the following:

“Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the repeal and reenactment of section 197.315 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby

declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 867, Page 25, Section 233.295, Line 105, by inserting after all of said section and line the following:

“321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

4. This section shall not apply to any fire protection district to which section 72.418 applies.”; and

Further amend said bill, Page 27, Section 347.048, Line 18, by inserting after all of said section and line the following:

“527.130. The word “person”, wherever used in sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society, fire protection district, or municipal or other corporation of any character whatsoever.

Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 867, Pages 1-6, Section 72.418, Lines 1-194, by deleting all of said lines and inserting in lieu thereof the following:

“72.418. 1. Notwithstanding any other provision of law to the contrary, no new city created pursuant

to sections 72.400 to 72.423 shall establish a municipal fire department to provide fire protection services, including emergency medical services, if such city formerly consisted of unincorporated areas in the county or municipalities in the county, or both, which are provided fire protection services and emergency medical services by one or more fire protection districts. Such fire protection districts shall continue to provide services to the area comprising the new city and may levy and collect taxes the same as such districts had prior to the creation of such new city.

2. Fire protection districts serving the area included within any annexation by a city having a fire department, including simplified boundary changes, shall continue to provide fire protection services, including emergency medical services to such area.

3. Notwithstanding any other provision of law to the contrary, beginning January first of the next succeeding year following an election authorized in subsection 7 of this section, any fire protection districts serving the area included within any annexation by a city having a fire department, including simplified boundary changes, which annexation is not completed by August 28, 2016, shall continue to levy and collect taxes the same as such districts had prior to the annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

4. Notwithstanding any other provision of law to the contrary, for any fire protection districts serving the area included within any annexation by a city having a fire department, including simplified boundary changes, which annexation has been completed by August 28, 2016:

(1) Beginning January first of the next succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to ninety percent of that which the fire protection district would have levied on all taxable property within the annexed area[. Such annexed area shall not be subject to taxation for any purpose thereafter by the fire protection district except for bonded indebtedness by the fire protection district which existed prior to the annexation. The amount to be paid annually by the municipality to the fire protection district pursuant hereto shall be a sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality], including any portion of the tax created for emergency medical service provided by the district[, per one hundred dollars of assessed value in such area]. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for ten percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(2) Beginning January first of the second succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to eighty percent of that which the fire protection district would have levied on all taxable property within the

annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for twenty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(3) Beginning January first of the third succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to seventy percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for thirty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(4) Beginning January first of the fourth succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to sixty percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for forty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation.

Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(5) Beginning January first of the fifth succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to fifty percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for fifty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(6) Beginning January first of the sixth succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to forty percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for sixty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(7) Beginning January first of the seventh succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to thirty percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed

property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for seventy percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(8) Beginning January first of the eighth succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to twenty percent of that which the fire protection district would have levied on all taxable property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for eighty percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(9) Beginning January first of the ninth succeeding year following an election authorized in subsection 7 of this section:

(a) The annexing city shall pay annually to the fire protection district an amount equal to ten percent of that which the fire protection district would have levied on all taxable

property within the annexed area, including any portion of the tax created for emergency medical service provided by the district. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation, but shall not include any portion of the tax rate for bonded indebtedness incurred prior to such annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

(b) The annexed area shall be subject to taxation by the fire protection district for ninety percent of the sum equal to the annual assessed value multiplied by the annual tax rate as certified by the fire protection district to the municipality, including any portion of the tax created for emergency medical service provided by the district, per one hundred dollars of assessed value in such area. The tax rate so computed shall include any tax on bonded indebtedness incurred subsequent to such annexation. Additionally, the annexed area shall be subject to taxation by the fire protection district for bonded indebtedness by the fire protection district which existed prior to the annexation.

(10) Beginning January first of the tenth succeeding year following an election authorized in

subsection 7 of this section and thereafter, the annexed area shall be subject to taxation by the fire protection district for all taxes levied, including bonded indebtedness prior to and after annexation. The annexing city shall not levy or collect any property taxes on the annexed property relating to fire protection services.

5. Notwithstanding any other provision of law to the contrary, the residents of an area annexed on or after May 26, 1994, may vote in all fire protection district elections and may be elected to the fire protection district board of directors.

[3.] **6.** The fire protection district may approve or reject any proposal for the provision of fire protection and emergency medical services by a city.

7. The provisions of this section as amended on August 28, 2016, shall apply only after a majority of the voters in any area previously included in a fire protection district and currently included within any area annexed by a city having a fire department, including simplified boundary changes, which annexation has been completed by August 28, 2016, voting thereon at any general municipal election date approve the implementation of such provisions. Either an annexing city or the fire protection district serving an area annexed by a city having a fire department may submit the issue to the voters in the annexed area in substantially the following form:

“Shall the (insert name) fire protection district be authorized to phase in collection of its voter-approved taxes in areas it now serves over the next ten years?”

If a majority of the votes cast on the question by the qualified voters of the annexed area voting thereon are in favor of the question, then the transitional payment provisions of subsection 4 of this section shall be implemented as of January first of the next succeeding year following the election. If a majority of the votes cast on the question by the qualified voters of the annexed area voting thereon are opposed to the question, then the provisions of subsection 4 of this section shall not apply unless and until the question is resubmitted under this section to the qualified voters and the question is approved by a majority of the qualified voters voting on the question.

8. Notwithstanding any other provision of this section, in the event that any legal action to challenge the validity of this section is filed in any court of competent jurisdiction, any party to which section 72.418 applies prior to the effective date of this section shall continue to pay all obligations as imposed under section 72.418 prior to the effective date of this section during the pendency of the legal action.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city

library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, [and] any board of control of an art museum, **the board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.565, Line 13, by inserting immediately after said line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as “emergency services”, and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational.

Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants **or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants**, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or any city within such county may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of

(insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund” and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions under sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required under sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and

no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided under section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided under sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check

redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. Notwithstanding any other provision of law, any tax authorized under the provisions of this section shall be submitted to the voters of the taxing jurisdiction for retention or repeal every five years using the same procedure by which the imposition of the tax was voted. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are in favor of retention, the tax shall continue in effect. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are not in favor of retention, the tax shall be repealed and that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 867, Page 16, Section 99.845, Line 335, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur’s, operator’s or driver’s license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic [telephone] transmission [reception]--two dollars[.];

(6) Each electronic look-up--two dollars;

(7) Notary fee--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal

Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 867, Page 16, Section 99.845, Line 335, by inserting after all of said section and line the following:

“137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) “Residential property”, all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, **bed and breakfast inns in which the owner resides and uses as a primary residence with six or fewer rooms for rent**, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, “transient housing” means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) “Utility, industrial, commercial, railroad and other real property”, all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term “utility, industrial, commercial, railroad and other real property”.

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a

not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;
- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

- (1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;
- (2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;
- (3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;
- (4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;
- (5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;
- (6) Any county of the third classification with a township form of government and with more than

fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants;

(12) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare

of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.565, Line 13, by inserting after all of said section and line the following:

“192.300. **1.** The county commissions [and] **with the concurrence of** the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions [and] **with the concurrence of** the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or county health board], such commission [or county health board] shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some

newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or county health board] of any such county has full power and authority to initiate the prosecution of any action under this section.

2. Notwithstanding the provisions of subsection 1 of this section, in the event of an emergency, a county commission or the county health center board may make and promulgate any orders, ordinances, rules, or regulations in order to protect public health, safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Bill No. 867, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“32.085. **1.** The following words or phrases as used in this section and section 32.087 shall have the following meaning unless a different meaning clearly appears from the context:

(1) “Boat” shall only include motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010;

(2) **“District” shall mean a subdivision defined by its geographic location that is not a city or county;**

(3) “Farm machinery” means new or used farm tractors, cultivating and harvesting equipment which ordinarily is attached thereto, combines, cornpickers, cottonpickers, farm trailers, and such other new or used farm equipment or machinery which are used exclusively for agricultural purposes as the director of revenue may exempt by rule or regulation of the department of revenue;

[(3)] (4) “Local sales tax” shall mean any tax levied, assessed, or payable under the local sales tax law;

[(4)] (5) “Local sales tax law” shall refer [specifically] to [sections 66.600 to 66.630, 67.391 to 67.395, 67.500 to 67.545, 67.547, 67.548, 67.550 to 67.570, 67.581, 67.582, 67.583, 67.590 to 67.594, 67.700 to 67.727, 67.729, 67.730 to 67.739, 67.782, 67.1712 to 67.1715, 92.400 to 92.421, 94.500 to 94.550, 94.577, 94.600 to 94.655, and 94.700 to 94.755, and] any provision of law [hereafter] enacted authorizing the imposition of a sales tax by a political subdivision of this state; provided that such sales tax applies to all transactions which are subject to the taxes imposed under the provisions of sections 144.010 to 144.525;

[(5)] (6) “Taxing entity” shall refer specifically to any political subdivision of this state which is authorized by the local sales tax law to impose one or more local sales taxes.

2. To the extent that sections 32.085 to 32.087 conflict with the local sales and use tax law, sections 32.085 to 32.087 shall control.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless

a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. [The ordinance or order shall reflect the effective date thereof.]

2. Any local sales tax so adopted shall become effective [on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except] as provided in subsection [18] **19** of this section, and shall be imposed on all transactions on which the Missouri state sales tax is imposed.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all transactions upon which the Missouri state sales tax is imposed to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto[; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law].

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer?

Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, and calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection,

enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] **6.** All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] **7.** All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] **8.** The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] **9.** All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] **10.** The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] **11.** For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales [, except the sale of motor vehicles, trailers, boats, and outboard motors required to be titled under the laws of the state of Missouri, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, the sales tax upon the titling of all motor vehicles, trailers, boats, and outboard motors shall be imposed at the rate in effect at the location of the residence of the purchaser, and remitted to that local taxing entity, and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as

amended] **shall be sourced as provided by sections 144.111 to 144.114.**

[13.] **12.** Local sales taxes shall not be imposed on the seller of motor vehicles, trailers, boats, and outboard motors required to be titled under the laws of the state of Missouri, but shall be collected from the purchaser by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] **13.** The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax [so] **as** reimposed shall become effective [the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the

results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax] **as provided by subsection 19 of section 32.087.** Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. (1) The effective date for the imposition, repeal, or rate change for each local sales and use tax is the first day of the calendar quarter after a minimum of one hundred twenty days' notice to sellers. For purchases from printed catalogs wherein the purchaser computed the sales or use tax based upon the local sales and use tax rates published in the catalog, the effective date is the first day of the calendar quarter after a minimum of one hundred twenty days' notice to the sellers.

(2) The effective date for any local jurisdiction boundary change for sales and use tax purposes is the first day of the calendar quarter after a minimum of one hundred twenty days' notice to sellers.

20. Any change to any local sales tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by

the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed

or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the “adjusted county average” is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the “redistribution formula” is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990,

between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term “economic development funds” means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part

of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action [at least ninety days prior to the effective date of the repeal] and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Anti-Drug Sales Tax Trust Fund". [The moneys in the county anti-drug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising

from the county anti-drug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action [at least ninety days prior to the effective date of the repeal] , and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action [at least ninety days prior to the effective date of the repeal], and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than

eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term “funding of museums and festivals” shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county’s voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and

shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the [governing body may authorize the use of a bracket system similar to that] **tax shall be calculated as** authorized by the provisions of section 144.285[, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions].

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term “museums” means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the county, at a

county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? “Museums” means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective [on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax] **as provided by subsection 19 of section 32.087**. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] **to 32.087** shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the [governing authority may authorize the use of a bracket system similar to that] **tax shall be calculated as** authorized [in] **by** section 144.285[, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions]. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made

against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, ~~[one]~~ **two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

[If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] **to** 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be

in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by subsection 19 of section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by subsection 19 of section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust

fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in subsection 19 of section 32.087.** The county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits

for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the

question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by subsection 19 of section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney’s office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney’s trust fund shall be used solely by a prosecuting attorney’s office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the “County Prosecuting Attorney’s Office Sales Tax Trust Fund” or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in subsection 19 of section 32.087**. The county

shall notify the director of revenue of the action [at least ninety days] before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of

premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the “County-Municipal Storm Water and Public Works Sales Tax Trust Fund”. [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and **the repeal shall be effective as provided by subsection 19 of section 32.087.** The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] to

32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county [, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may [authorize the state treasurer to] make [refund] **refunds** from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all

tangible personal property or taxable service within the county[, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525].

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue [at least ninety days] prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal

to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue [at least ninety days] prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in

addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities

and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] **to 32.087** shall apply to any tax approved pursuant to this subsection.

5. As used in this section, “qualified voters” or “voters” means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less

one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] **to 32.087** shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the “Senior Services and Youth Programs Sales Tax Trust Fund”, and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the

state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087.**

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087.** If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action [at least thirty days] before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission.

67.1300. 1. The governing body of any of the **following counties or any municipality therein may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation under the provisions of sections 144.010 to 144.525:**

(1) Any of the following contiguous counties of the third classification without a township form of government [enumerated in subdivisions (1) to (5) of this subsection or] :

(a) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(b) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants;

(c) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(d) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants; or

(e) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants;

(2) In any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants [or] ;

(3) A county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants [or] ;

(4) A county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants [or] ;

(5) A county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants [or any] ;

(6) A county of the third classification with a population greater than three thousand but less than four thousand [or any] ;

(7) A county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred [or any] ;

(8) A county of the third classification with a population greater than six thousand eight hundred but less than seven thousand [or any] ;

(9) A county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred [or any] ;

(10) A county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred [or any] ;

(11) A county of the third classification with a population greater than nine thousand but less than nine thousand two hundred [or any] ;

(12) A county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred [or any] ;

(13) A county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred [or] ;

(14) A county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand [or] ;

(15) A county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand [or] ;

(16) A county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred [or] ;

(17) A county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand [or] ;

(18) A county of the third classification with a population greater than thirty-nine thousand but less than forty thousand [or] ;

(19) A county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand [or] ;

(20) A county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred [or] ;

(21) A county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy [or] ;

(22) A county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred [or] ;

(23) A county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred [or] ;

(24) A county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand [or] ;

(25) A county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification [or] ;

(26) A county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand; or [in any]

(27) A county of the fourth classification acting as a county of the second classification, having a

population of at least forty-eight thousand [or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants].

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures

may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

(1) Operations of economic development or community development offices, including the salaries of employees;

(2) Provision of training for job creation or retention;

(3) Provision of infrastructure and sites for industrial development or for public infrastructure projects;
and

(4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of
(insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;

(5) Providing matching dollars for state or federal grants;

(6) Marketing;

(7) Construction and operation of job training and educational facilities; and

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. The director of revenue may make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective as provided by subsection 19 of section 32.087. Each city or county shall notify the director of revenue prior to the effective date of the expiration of the sales tax authorized by this section, and the repeal shall be effective as provided by subsection 19 of section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due to the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the

option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] 10. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on

the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term “city” shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state’s general revenue

fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the “Local Option Economic Development Sales Tax Trust Fund”.

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages. Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining

members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and/or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] as provided by **subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the

provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of motor vehicles, [trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **watercraft, electricity, piped natural or artificial gas, or other fuels delivered by the seller.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective [on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax] **as provided by subsection 19 of section 32.087.**

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer’s sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu

of the brackets provided in section 144.285.

7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the

county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second calendar quarter after the director receives notification of the local sales tax] **as provided by subsection 19 of section 32.087**. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited [with the state treasurer] in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and

overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by subsection 19 of section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than

nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

(1) The name and residence of each petitioner and the location of the real property owned by the petitioner;

(2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and

(3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

(1) A description of the boundaries of the proposed district;

(2) The time and place of a hearing to be held to consider establishment of the proposed district;

(3) The proposed sales tax rate to be voted on within the proposed district; and

(4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

(1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;

(2) Hear all protests and receive evidence for or against the establishment of the proposed district; and

(3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district

decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two

shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and

conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the “Exhibition Center and Recreational Facility District Sales Tax Trust Fund”, which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri. The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each

county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] **14.** Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action [at least ninety days] before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] **15.** In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand

six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by subsection 19 of section 32.087**. If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state**

of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[5.] **4.** (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087. If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] **5.** Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply

to the tax imposed pursuant to this section.

67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section

108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7)] **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by subsection 19 of section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section

67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective [December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later] **as provided by subsection 19 of section 32.087. If the district abolishes the tax, the district shall notify the director of revenue of the action prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town,

or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill, Page 6, Section 72.418, Line 194, by inserting after all of said section and line the following:

“94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city’s center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of(insert rate of percent) percent for [a] capital improvements purposes in the city’s center city for a period of (insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner

as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax,

if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/city-wide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited [with the state treasurer] in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may [authorize the state treasurer to] make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections

94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect **as provided by subsection 19 of section 32.087**. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect **as provided by subsection 19 of section 32.087**. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.”; and

Further amend said bill, Page 21, Section 137.565, Line 13, by inserting after all of said section and line the following:

“184.845. 1. The board of the district may impose a museum and cultural district sales tax by resolution on all retail sales made in such museum and cultural district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum and cultural district sales tax may be imposed for any museum or cultural purpose designated by the board of the museum and cultural district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to the qualified voters, who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter [following adoption of the tax by the board or qualified voters, if the board elects to submit the question of whether to impose a sales tax to the qualified voters] **after the director of revenue receives notification of the adoption of the local sales tax.**

3. In each museum and cultural district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum and cultural district pursuant to this section to the retailer’s sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum and cultural district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

5. All revenue received by a museum and cultural district from the tax authorized by this section which has been designated for a certain museum or cultural purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum or cultural purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum or cultural district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum and cultural district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum and cultural district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the [museum and cultural district] **director of revenue** shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the [museum and cultural district] **director**.

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 [and] to 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All revenue collected under this section by the director of the department of revenue on behalf of the museum and cultural districts, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Missouri Museum **and** Cultural District Tax Fund", and shall be used solely for such designated purpose. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county.

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the museum and cultural district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum and cultural district shall be deposited by the museum and cultural district in a special fund to be expended for the purposes authorized in this section. The museum and cultural district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum and cultural district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum and cultural district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects.

221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by subsection 19 of section 32.087**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment

for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 [and] ~~to~~ 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015."; and

Further amend said bill, Page 25, Section 233.295, Line 105, by inserting after all of said section and line the following:

"238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats, or outboard motors [nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance]. Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund

shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles [, trailers,] **and** boats [or outboard motors nor to public utilities]. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except

retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] **4.** (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] **5.** Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective [on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax] **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed **as provided by subsection 19 of section 32.087**. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at

retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited [in the state treasury] in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed

to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] **9.** The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may [authorize the state treasurer to] redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action [at least ninety days] prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall [authorize the state treasurer to] remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] **10.** The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] **11.** Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term “boat” shall only include motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

[13.] **12.** In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is

also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] **13.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] **14.** In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412.”; and

Further amend said bill, Page 27, Section 347.048, Line 18, by inserting after all of said section and line the following:

“644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.

5. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.565, Line 13, by inserting after all of said section and line the following:

“143.112. 1. As used in this section, the term “volunteer firefighter” shall have the same meaning as under section 320.333.

2. For all taxable years beginning on or after January 1, 2017, in addition to all other modifications allowed by law, a taxpayer shall be allowed to subtract five hundred dollars of the taxpayer’s income from the taxpayer’s federal adjusted gross income when determining Missouri adjusted gross income for any year in which the taxpayer completed at least twelve hours of any firefighter training program approved by the office of the state fire marshal in the tax year for which the deduction is claimed. A taxpayer shall not be allowed a deduction under this subsection if the taxpayer is allowed a deduction under subsection 3 of this section.

3. For all taxable years beginning on or after January 1, 2017, in addition to all other modifications allowed by law, a taxpayer shall be allowed to subtract one thousand dollars of the taxpayer’s income from the taxpayer’s federal adjusted gross income when determining Missouri adjusted gross income for any year in which the taxpayer completed the Basic Fire Fighter program or was certified after completing the Fire Fighter I or Fire Fighter II program by the division of fire safety for a minimum of thirty-six hours in the tax year for which the credit is claimed.

4. The state fire marshal shall develop or approve existing training programs necessary for volunteer firefighters to claim the deductions authorized in this section, shall establish procedures for

providing documentation that the taxpayer is a volunteer firefighter in good standing with a registered fire department, as required under section 320.202, and has completed the training requirements of this section, and shall promulgate rules to implement the provisions of this section.

5. Any taxpayer seeking to claim a deduction under this section shall provide, upon request, documentation demonstrating that the taxpayer is actively engaged as a volunteer firefighter or a volunteer firefighter in training.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 19

Amend House Amendment No. 19 to House Committee Substitute for Senate Bill No. 867, Page 2, Line 28, by inserting immediately after all of said line the following:

“Further amend said bill and page, Section 137.565, Line 13, by inserting immediately after all of said line the following:

“221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for

the region?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Regional Jail District Sales Tax Trust Fund”. The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one

year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, [2015] **2028.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 19

Amend House Amendment No. 19 to House Committee Substitute for Senate Bill No. 867, Page 2 Line 27, by inserting immediately after all of said line the following:

"Further amend said bill, Page 22, Section 137.565, Line 21, by inserting after all of said line the following:

"227.446. The portion of U.S. Highway 50 from County Line Road continuing west to Mockingbird Road in Moniteau County shall be designated as the "Phyllis D. Shelley Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with costs to be paid for by private donation."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 19

Amend House Committee Substitute for Senate Bill No. 867, Page 21, Section 137.115, Line 187, by inserting after said line the following:

"18. (1) As used in this subsection, the following terms mean:

(a) **"Disabled", totally and permanently disabled or blind and receiving federal Social Security disability benefits, federal supplemental security income benefits, Veterans Affairs disability compensation, state blind pension under sections 209.010 to 209.160, state aid to blind persons under section 209.240, or state supplemental payments under section 208.030;**

(b) **"Maximum upper limit", in the calendar year 2015, the federal adjusted gross income sum of sixty thousand dollars for taxpayers with single filing status and sixty-eight thousand dollars for taxpayers with married filing jointly status. In each successive calendar year, this amount shall be raised by the incremental increase in the general price level as defined under article X, section 17 of the Constitution of Missouri;**

(c) **"Principal residence", real property owned and occupied by or held in trust for a qualified taxpayer, or real property jointly owned and occupied by or held in trust for any individuals, any of whom is a qualified taxpayer;**

(d) **"Qualified taxpayer", any individual who:**

a. Owns and occupies a principal residence, or who, as grantor, has transferred ownership of his or her principal residence into a living trust and occupies the principal residence;

b. Is sixty-seven years of age or older or is disabled; and

c. Had a federal adjusted gross income not exceeding the maximum upper limit in the year prior to becoming qualified under this subsection.

(2) The provisions authorized under this subsection shall not apply to any county of this state, including any city not within a county, unless the county commission issues an order stating the county's intention to adopt this subsection.

(3) Notwithstanding any other provision of law to the contrary and for all property assessments conducted after December 31, 2016, the assessed valuation of a qualified taxpayer's principal residence shall not increase by a percentage greater than the percentage increase of the qualified taxpayer's Social Security benefits from the previous year except as otherwise provided in this subsection.

(4) This subsection shall not apply to any increase in the assessed valuation of a principal residence attributable to an improvement made on the principal residence that expands the square footage of the principal residence unless the improvement was made solely for increased accessibility for individuals with physical disabilities.

(5) This subsection shall not apply to any increase in the assessed valuation of a principal residence after the principal residence is conveyed to an individual who is not a qualified taxpayer. The assessed valuation of such principal residence shall be the assessed valuation as provided in subsections 1 to 17 of this section in the next annual assessment.

(6) Any individual who meets the requirements of a qualified taxpayer before the next assessment shall provide the county assessor with proof that he or she is a qualified taxpayer. An individual may provide such proof by submitting an affidavit certifying under penalty of perjury that the individual satisfies the requirements of a qualified taxpayer under this subsection. The state tax commission shall determine sources of documentation that an individual may present, in lieu of an affidavit, as proof that he or she is a qualified taxpayer. Any such source documents shall not be kept by the county or state and shall be deemed closed records under sections 610.010 to 610.225.

(7) The state tax commission may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

(8) A qualified taxpayer's principal residence to which this subsection applies shall be exempt from any county ratio study;

(9) Under section 23.253 of the Missouri sunset act:

(a) The provisions of the new program authorized under this subsection shall automatically sunset on December thirty-first six years after the effective date of this subsection unless reauthorized by an act of the general assembly; and

(b) If such program is reauthorized, the program authorized under this subsection shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this subsection; and

(c) This subsection shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this subsection is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, as amended and **HA 2** to **SB 700** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 732**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 608**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 921**.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6 and House Amendment No. 6, as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 921, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. “Out-of-pocket loss” shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars;

or

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the children's division personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337; [or]

(4) Professional counselor licensed pursuant to chapter 337; **or**

(5) Board certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner licensed under chapter 335 or licensed in the state in which the service is provided.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department.

595.209. 1. The following rights shall automatically be afforded to victims of dangerous”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 921, Page 3, Section 455.545, Line 4, by inserting after all of said section and line the following:

“595.209. 1. The following rights shall automatically be afforded to victims of dangerous felonies, as defined in section 556.061, victims of murder in the first degree, as defined in section 565.020, victims of voluntary manslaughter, as defined in section 565.023, [and] **victims of any offense under chapter 566**, victims of an attempt to commit one of the preceding crimes, as defined in section 564.011, **and victims of domestic assault, as defined in sections 565.072 to 565.074**; and, upon written request, the following rights shall be afforded to victims of all other crimes and witnesses of crimes:

(1) For victims, the right to be present at all criminal justice proceedings at which the defendant has such right, including juvenile proceedings where the offense would have been a felony if committed by an adult, even if the victim is called to testify or may be called to testify as a witness in the case;

(2) For victims, the right to information about the crime, as provided for in subdivision (5) of this subsection;

(3) For victims and witnesses, to be informed, in a timely manner, by the prosecutor’s office of the filing of charges, preliminary hearing dates, trial dates, continuances and the final disposition of the case. Final disposition information shall be provided within five days;

(4) For victims, the right to confer with and to be informed by the prosecutor regarding bail hearings, guilty pleas, pleas under chapter 552 or its successors, hearings, sentencing and probation revocation hearings and the right to be heard at such hearings, including juvenile proceedings, unless in the determination of the court the interests of justice require otherwise;

(5) The right to be informed by local law enforcement agencies, the appropriate juvenile authorities or the custodial authority of the following:

(a) The status of any case concerning a crime against the victim, including juvenile offenses;

(b) The right to be informed by local law enforcement agencies or the appropriate juvenile authorities of the availability of victim compensation assistance, assistance in obtaining documentation of the victim’s losses, including, but not limited to and subject to existing law concerning protected information or closed records, access to copies of complete, unaltered, unedited investigation reports of motor vehicle, pedestrian, and other similar accidents upon request to the appropriate law enforcement agency by the victim or the victim’s representative, and emergency crisis intervention services available in the community;

(c) Any release of such person on bond or for any other reason;

(d) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation

hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings, the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, and the right to have, upon written request of the victim, a partition set up in the probation or parole hearing room in such a way that the victim is shielded from the view of the probationer or parolee, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of personal appearance;

(7) For victims and witnesses, upon their written request, the right to be informed by the appropriate custodial authority, including any municipal detention facility, juvenile detention facility, county jail, correctional facility operated by the department of corrections, mental health facility, division of youth services or agency thereof if the offense would have been a felony if committed by an adult, postconviction or commitment pursuant to the provisions of chapter 552 of the following:

(a) The projected date of such person's release from confinement;

(b) Any release of such person on bond;

(c) Any release of such person on furlough, work release, trial release, electronic monitoring program, or to a community correctional facility or program or release for any other reason, in advance of such release;

(d) Any scheduled parole or release hearings, including hearings under section 217.362, regarding such person and any changes in the scheduling of such hearings. No such hearing shall be conducted without thirty days' advance notice;

(e) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(f) Any decision by a parole board, by a juvenile releasing authority or by a circuit court presiding over releases pursuant to the provisions of chapter 552, or by a circuit court presiding over releases under section 217.362, to release such person or any decision by the governor to commute the sentence of such person or pardon such person;

(g) Notification within thirty days of the death of such person;

(8) For witnesses who have been summoned by the prosecuting attorney and for victims, to be notified by the prosecuting attorney in a timely manner when a court proceeding will not go on as scheduled;

(9) For victims and witnesses, the right to reasonable protection from the defendant or any person acting on behalf of the defendant from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(10) For victims and witnesses, on charged cases or submitted cases where no charge decision has yet been made, to be informed by the prosecuting attorney of the status of the case and of the availability of

victim compensation assistance and of financial assistance and emergency and crisis intervention services available within the community and information relative to applying for such assistance or services, and of any final decision by the prosecuting attorney not to file charges;

(11) For victims, to be informed by the prosecuting attorney of the right to restitution which shall be enforceable in the same manner as any other cause of action as otherwise provided by law;

(12) For victims and witnesses, to be informed by the court and the prosecuting attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(13) When a victim's property is no longer needed for evidentiary reasons or needs to be retained pending an appeal, the prosecuting attorney or any law enforcement agency having possession of the property shall, upon request of the victim, return such property to the victim within five working days unless the property is contraband or subject to forfeiture proceedings, or provide written explanation of the reason why such property shall not be returned;

(14) An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or for participating in the preparation of a criminal proceeding, or require any witness, victim, or member of a victim's immediate family to use vacation time, personal time, or sick leave for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or participating in the preparation of a criminal proceeding;

(15) For victims, to be provided with creditor intercession services by the prosecuting attorney if the victim is unable, as a result of the crime, temporarily to meet financial obligations;

(16) For victims and witnesses, the right to speedy disposition of their cases, and for victims, the right to speedy appellate review of their cases, provided that nothing in this subdivision shall prevent the defendant from having sufficient time to prepare such defendant's defense. The attorney general shall provide victims, upon their written request, case status information throughout the appellate process of their cases. The provisions of this subdivision shall apply only to proceedings involving the particular case to which the person is a victim or witness;

(17) For victims and witnesses, to be provided by the court, a secure waiting area during court proceedings and to receive notification of the date, time and location of any hearing conducted by the court for reconsideration of any sentence imposed, modification of such sentence or recall and release of any defendant from incarceration;

(18) For victims, the right to receive upon request from the department of corrections a photograph taken of the defendant prior to release from incarceration.

2. The provisions of subsection 1 of this section shall not be construed to imply any victim who is incarcerated by the department of corrections or any local law enforcement agency has a right to be released to attend any hearing or that the department of corrections or the local law enforcement agency has any duty to transport such incarcerated victim to any hearing.

3. Those persons entitled to notice of events pursuant to the provisions of subsection 1 of this section shall provide the appropriate person or agency with their current addresses and telephone numbers or the addresses or telephone numbers at which they wish notification to be given.

4. Notification by the appropriate person or agency utilizing the statewide automated crime victim

notification system as established in section 650.310 shall constitute compliance with the victim notification requirement of this section. If notification utilizing the statewide automated crime victim notification system cannot be used, then written notification shall be sent by certified mail to the most current address provided by the victim.

5. Victims' rights as established in Section 32 of Article I of the Missouri Constitution or the laws of this state pertaining to the rights of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 921, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“9.172. The month of February is hereby designated as “Teen Dating Violence Awareness Month” in the state of Missouri. One in three teens in the United States will experience physical, sexual, or emotional abuse by someone with whom they are in a relationship before they become adults. The citizens of this state are encouraged to observe the month with appropriate activities and events to raise awareness of abuse in teen relationships.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 921, Page 1, in the title, Line 3, by deleting the phrase “domestic violence” and inserting in lieu thereof the phrase “court procedures”; and

Further amend said bill, Page 2, Section 173.2050, Line 27, by inserting after all of said section and line the following:

“210.565. 1. Whenever a child is placed in a foster home and the court has determined pursuant to subsection 4 of this section that foster home placement with relatives is not contrary to the best interest of the child, the children’s division shall give foster home placement to relatives of the child. Notwithstanding any rule of the division to the contrary, the children’s division shall make diligent efforts to locate the grandparents of the child and determine whether they wish to be considered for placement of the child. Grandparents who request consideration shall be given preference and first consideration for foster home placement of the child. If more than one grandparent requests consideration, the family support team shall make recommendations to the juvenile or family court about which grandparent should be considered for placement.

2. As used in this section, the [term] **following terms shall mean:**

(1) “Kin” or “kinship”, a person who is related to the child by blood or affinity beyond the third degree, or a person who is not so related to the child but has a close relationship with the child or the child’s family, including but not limited to godparents, neighbors, teachers, or close family friends; and

(2) “Relative” [means], a grandparent or any other person related to another by blood or affinity within the third degree. The status of a grandparent shall not be affected by the death or the dissolution of the marriage of a son or daughter.

3. The following shall be the order or preference for placement of a child under this section:

(1) Grandparents and relatives;

(2) [A trusted adult that has a preexisting relationship with the child, such as a godparent, teacher, neighbor, or fellow parishioner] **Kin**, who voluntarily [agrees] **agree** to care for the child; and

(3) Any foster parent who is currently licensed and capable of accepting placement of the child.

4. The preference for placement and first consideration for grandparents or preference for placement with other relatives created by this section shall only apply where the court finds that placement with such grandparents or other relatives is not contrary to the best interest of the child considering all circumstances. If the court finds that it is contrary to the best interest of a child to be placed with grandparents or other relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than grandparents or other relatives.

5. Recognizing the critical nature of sibling bonds for children, the children’s division shall make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement, unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the children’s division shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings, unless this interaction would be contrary to a sibling’s safety or well-being.

6. The age of the child’s grandparent or other relative shall not be the only factor that the children’s division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such grandparent or other relative.

7. For any Native American child placed in protective custody, the children’s division shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.

8. A grandparent [or], other relative, **or kin** may, on a case-by-case basis, have standards for licensure not related to safety waived for specific children in care that would otherwise impede licensing of the [grandparent’s or relative’s] home **of the grandparent, relative, or kin**. In addition, any person receiving a preference may be licensed in an expedited manner if a child is placed under such person’s care.

9. When placed in the home of a grandparent, other relative, or kin, foster children of the opposite sex who are siblings shall be permitted to sleep in the same room if doing so would be in the children’s best interests and presents no safety concerns.

10. The guardian ad litem shall ascertain the child’s wishes and feelings about his or her placement by conducting an interview or interviews with the child, if appropriate based on the child’s age and maturity level, which shall be considered as a factor in placement decisions and recommendations, but shall not supersede the preference for relative placement created by this section or be contrary to the child’s best interests.

211.093. **1.** Any order or judgment entered by the court under authority of this chapter or chapter 210 shall, so long as [such order or judgment remains in effect] **the juvenile court exercises continuing jurisdiction**, take precedence over any order or judgment concerning the status or custody of a child under **the age of** twenty-one entered by a court under authority of chapter 452, 453, 454 or 455, **and orders of**

guardianship under chapter 475, but only to the extent inconsistent therewith.

2. In addition to all other powers conveyed upon the court by this chapter and chapter 210, any court exercising jurisdiction over a juvenile pursuant to subdivision (1) of subsection 1 of section 211.031 shall have authority to enter an order placing that juvenile into the legal and physical custody of any parent of the juvenile, enter a child support order, and establish rights of visitation for the parents of the juvenile, and the court shall have authority to enter an order establishing the paternity of the juvenile's biological father under the uniform paternity act, sections 210.817 to 210.852.

3. Any custody, support, or visitation order entered by the court pursuant to subsection 2 of this section shall remain in full force and effect after the termination of juvenile court proceeding if the court's order expressly states that the order shall be continuing. Any such custody, child support, or visitation order shall take precedence over, and shall automatically stay, any prior orders concerning custody, child support, guardianship, or visitation. Such orders shall remain in full force and effect until a subsequent order with respect to custody, child support, guardianship, or visitation of the juvenile is entered by a court under authority of chapters 452, 453, 454, 455, or orders of guardianship under chapter 475.

4. If the juvenile court terminates jurisdiction without entering a continuing custody, support, or visitation order pursuant to subsections 2 and 3 of this section, then legal and physical custody of the juvenile shall be returned to the custodian or legal guardian who exercised custody prior to the juvenile court assuming jurisdiction pursuant to subdivision (1) of subsection 1 of section 211.031, and any custody or visitation orders in effect at the time the juvenile court assumed jurisdiction shall be restored.

5. The juvenile court shall not have the authority to hear modification motions or other actions to rehear any orders entered under this section after the juvenile court terminates jurisdiction on the underlying case. Any future actions shall be conducted under chapters 452, 453, 454, 455, or 475, as appropriate.

6. Any child support order entered under this section shall be established and enforced under the procedures set forth in chapter 454. The circuit clerk shall, upon the entry of a child support order, send a certified copy to the family support division for enforcement as provided for by law.

211.171. 1. The procedure to be followed at the hearing shall be determined by the juvenile court judge and may be as formal or informal as he or she considers desirable, consistent with constitutional and statutory requirements. The judge may take testimony and inquire into the habits, surroundings, conditions and tendencies of the child and the family to enable the court to render such order or judgment as will best promote the welfare of the child and carry out the objectives of this chapter.

2. The hearing may, in the discretion of the court, proceed in the absence of the child and may be adjourned from time to time.

3. The current foster parents of a child, or any preadoptive parent or relative currently providing care for the child, shall be provided with notice of, and an opportunity to be heard in, any hearing to be held with respect to the child, and a foster parent shall have standing to participate in all court hearings pertaining to a child in their care. **In a juvenile court case proceeding under subdivisions (1) or (2) of subsection 1 of section 211.031, a foster parent, relative, or kin as defined in section 210.565 with whom a child has been placed for at least three months shall have the right to intervene as a party. The court may dismiss the intervening foster parent, relative, or kin from the case if he or she no longer has the child**

in their care. The court shall not dismiss an intervening foster parent, relative, or kin for the sole purpose of terminating the foster parent, relative, or kin relationship. Nothing in this section shall be construed to authorize the court to join a foster parent as a party to the case without the foster parent's consent. No state or local agency or other governmental body shall be liable for the legal fees or associated costs incurred by the foster parent, relative, or kin intervening under this subsection.

4. All cases of children shall be heard separately from the trial of cases against adults.

5. Stenographic notes or an authorized recording of the hearing shall be required if the court so orders or, if requested by any party interested in the proceeding.

6. The general public shall be excluded and only such persons admitted as have a direct interest in the case or in the work of the court except in cases where the child is accused of conduct which, if committed by an adult, would be considered a class A or B felony; or for conduct which would be considered a class C felony, if the child has previously been formally adjudicated for the commission of two or more unrelated acts which would have been class A, B or C felonies, if committed by an adult.

7. The practice and procedure customary in proceedings in equity shall govern all proceedings in the juvenile court; except that, the court shall not grant a continuance in such proceedings absent compelling extenuating circumstances, and in such cases, the court shall make written findings on the record detailing the specific reasons for granting a continuance.

[8.] 7. The court shall allow the victim of any offense to submit a written statement to the court. The court shall allow the victim to appear before the court personally or by counsel for the purpose of making a statement, unless the court finds that the presence of the victim would not serve justice. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the child.

211.464. [1. Where a child has been placed with a foster parent, with relatives or with other persons who are able and willing to permanently integrate the child into the family by adoption, the court shall provide the opportunity for such foster parent, relative or other person to present evidence for the consideration of the court.

2.] Current foster parents or other legal custodians who are not seeking to adopt the child shall be given an opportunity to testify at all hearings regarding the child. Upon the filing of a petition concerning a minor child who is in the care of foster parents or other legal custodians, the court shall give notice to such foster parents or legal custodians of the filing, any future hearings held on such petition and their opportunity to testify at any subsequent hearings held in relation to such petition, unless such notice and opportunity is waived by such foster or custodial parent.

302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court [will] **may** order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing **at the request**

of the prosecutor having original jurisdiction. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court [shall] **may** notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. The provisions of subsection 1 of this section shall not apply to minor traffic violations as defined in section 479.350.

302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.** These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points

(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060 12 points

In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation of subsection 4 of

section 304.016, RSMo	4 points
In violation of a county or municipal ordinance	2 points
(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:	
(a) For the first conviction	2 points
(b) For the second conviction	4 points
(c) For the third conviction	6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges	12 points
(7) Obtaining a license by misrepresentation	12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs	8 points
(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight	12 points
(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight	
In violation of state law	8 points
In violation of a county or municipal ordinance or federal law or regulation	8 points
(11) Any felony involving the use of a motor vehicle	12 points
(12) Knowingly permitting unlicensed operator to operate a motor vehicle	4 points
(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025	4 points
(14) Endangerment of a highway worker in violation of section 304.585	4 points
(15) Aggravated endangerment of a highway worker in violation of section 304.585	12 points
(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency	4 points
(17) Endangerment of an emergency responder in violation of section 304.894	4 points
(18) Aggravated endangerment of an emergency responder in violation of section 304.894	12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the

director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. The operator shall be given the option to complete the driver-improvement program through an online or in-person course. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.

6. If a person who is a resident of this state obtains a traffic ticket in another state for a motor vehicle violation and such state does not have a point system identical to the point system provided for in this section, no points shall be assessed against such person's driving record by the Missouri department of revenue.

302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns an entity that owns an employer-owned vehicle, except if the court has ordered the

person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use, except if the court has ordered the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.”; and

Further amend said bill, Page 3, Section 455.545, Line 4, by inserting after all of said section and line the following:

“476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance either online or in person at any

driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the [department shall thereupon] **prosecutor shall determine whether to** suspend the license of the driver in the manner provided by section 302.341[, as if notified by the court].

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the

courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.

478.705. 1. There shall be [two] **three** circuit judges in the twenty-sixth judicial circuit consisting of the counties of Camden, Laclede, Miller, Moniteau and Morgan. These judges shall sit in divisions numbered one [and], two, **and three**.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division one shall be elected in 1982. **The governor shall appoint a judge for division three and notwithstanding the provisions of section 105.030, that judge shall serve until January 1, 2021. A judge for division three shall be elected in 2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 921, Page 1, In the Title, Line 3, by deleting the phrase “domestic violence” and inserting in lieu thereof the phrase “political subdivisions”; and

Further amend said bill and page, Section 43.545, Line 6, by inserting immediately after all of said line the following:

“70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, [and] any board of control of an art museum, **the board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 921, Page 3, Section 455.545, Line 4, by inserting after all of said section and line the following:

“610.205. 1. Crime scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene that depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person’s genitalia are exposed, may be designated closed by a law enforcement agency, provided, however, that this section shall not prohibit disclosure of such material to the deceased’s next of kin or to an individual who has secured a written release from the next of kin. It shall be the responsibility of the next of kin to show proof of the familial relationship. For purposes of such access, the deceased’s next of kin shall be:

(1) The spouse of the deceased if living;

- (2) If there is no living spouse of the deceased, an adult child of the deceased; or
- (3) If there is no living spouse or adult child, a parent of the deceased.

2. Subject to the provisions of subsection 3 of this section, a circuit court judge may order the disclosure of such photographs or video recordings upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's next of kin at least two weeks' notice. No court shall order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement.

4. The provisions of this section shall apply to all undisclosed material, as described in subsection 1 of this section, which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a convicted defendant in a habeas corpus action, on a motion for new trial, or in a federal habeas corpus action under 28 U.S.C. Section 2254 or 2255 for the purpose of preparing to file or litigating such proceedings. Counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection.

6. The director of the department of public safety shall promulgate rules and regulations governing the viewing of materials described in subsection 1 of this section by bona fide credentialed members of the press.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to Senate Committee Substitute for Senate Bill No. 921, Page 2, Line 18, by deleting the words “**permanently be characterized as closed records**” and inserting in lieu thereof the words “**be closed records for at least thirty days**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 921, Page 3, Section 455.545, Line 4, by inserting after all of said section and line the following:

“610.100. 1. As used in sections 610.100 to 610.150, the following words and phrases shall mean:

(1) “Arrest”, an actual restraint of the person of the defendant, or by his or her submission to the custody of the officer, under authority of a warrant or otherwise for a criminal violation which results in the issuance of a summons or the person being booked;

(2) “Arrest report”, a record of a law enforcement agency of an arrest and of any detention or confinement incident thereto together with the charge therefor;

(3) “Inactive”, an investigation in which no further action will be taken by a law enforcement agency or officer for any of the following reasons:

(a) A decision by the law enforcement agency not to pursue the case;

(b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;

(c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;

(4) “Incident report”, a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;

(5) “Investigative report”, a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties.

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records. Notwithstanding any other provision of law other than the provisions of subsections [4,] 5, [and] 6, **and 7** of this section or section 320.083, investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within thirty days of the person’s arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120.

3. Except as provided in subsections [4,] 5, 6, [and] 7, **and 8** of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

4. (1) Notwithstanding any other provision of this section or law to the contrary, incident reports and investigative reports involving suicide or attempted suicide, and any medical records contained within such reports involving instances of rape, sexual assault, or any other sexual offense under chapter 566, shall not be public records or documents subject to the provisions of this chapter and

shall permanently be characterized as closed records.

(2) Except as authorized by this section or any other law or rule for purposes including administrative necessities, court adjudications, or law enforcement, such reports shall not be released for any purpose whatsoever, except that suicide and attempted suicide records shall be released upon the request of an individual who is the subject of the report of attempted suicide or upon the request of such individual's parent or guardian if the individual is a minor or is incapacitated. If a suicide did occur, then such records shall be released to the victim's familial relations within the second degree of consanguinity or affinity upon request. Reports that have not been redacted containing medical records related to rape, sexual assault, and any other sexual offense under chapter 566 shall be released only upon the request of an individual who is the reported victim of any such crime, to his or her parent or guardian if the individual is a minor, or to his or her parent or guardian if the individual is incapacitated. A law enforcement agency may release any information from reports involving suicide or attempted suicide, upon its own volition and without the consent of the individual who is the reported victim of any such act, if the release of such information is immediately necessary to the preservation of the health and safety of an individual or the public health and welfare.

(3) The sovereign immunity of a law enforcement agency from liability and suit for compensatory damages is hereby expressly waived in any instance in which a law enforcement officer or agency intentionally discloses such reports in violation of the provisions of this subsection. A violation of this subsection due to a negligent act or omission by a law enforcement officer or a law enforcement agency shall be subject to discipline by the agency and the Police Officer Standards and Training Commission under chapter 590.

5. Any person, including a family member of such person within the first degree of consanguinity if such person is deceased or [incompetent] **incapacitated**, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain any records closed pursuant to this section or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

[5.] 6. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of the information contained in an investigative report of any law enforcement agency, which would otherwise be closed pursuant to this section. The court may order that all or part of the information contained in an investigative report be released to the person bringing the action. In making the determination as to whether information contained in an investigative report shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to

the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity. The investigative report in question may be examined by the court in camera. The court may find that the party seeking disclosure of the investigative report shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the investigative report was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

[6.] **7.** Any person may apply pursuant to this subsection to the circuit court having jurisdiction for an order requiring a law enforcement agency to open incident reports and arrest reports being unlawfully closed pursuant to this section. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has knowingly violated this section, the officer or agency shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of this section, the court may order payment by such officer or agency of all costs and attorneys' fees, as provided by section 610.027. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has purposely violated this section, the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the law enforcement officer or agency has violated this section previously.

[7.] **8.** The victim of an offense as provided in chapter 566 may request that his or her identity be kept confidential until a charge relating to such incident is filed.

610.200. 1. Except as provided in subsection 2 of this section, all law enforcement agencies that maintain a daily log or record that lists suspected crimes, accidents, or complaints shall make available the following information for inspection and copying by the public:

- (1) The time, substance, and location of all complaints or requests for assistance received by the agency;
- (2) The time and nature of the agency's response to all complaints or requests for assistance; and
- (3) If the incident involves an alleged crime or infraction:
 - (a) The time, date, and location of occurrence;
 - (b) The name and age of any victim, unless the victim is a victim of a crime under chapter 566;
 - (c) The factual circumstances surrounding the incident; and
 - (d) A general description of any injuries, property or weapons involved.

2. Notwithstanding the provisions of any other law, any law enforcement agency with custody of an accident report or incident report shall not release the report containing any information about a suicide, attempted suicide, rape, sexual assault, or any other sexual offense under chapter 566, except as authorized under subsection 4 of section 610.100.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 608**, as amended. Representatives: Allen, Haefner, Engler, Mitten, Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 700**, as amended. Representatives: Dohrman, Ross, Davis, Webber, Carpenter.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 732**, as amended. Representatives: Rhoads, Ross, Lauer, McCreery, Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 650**.

With House Amendment No. 1, 2, 3, 4, 5, 6, 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended and House Amendment No. 9.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, in the Title, Line 3, by deleting the phrase “higher education financial aid eligibility” and inserting in lieu thereof the phrase “elementary and secondary education”; and

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting after all of said section and line the following:

“167.777. 1. There is hereby established a committee of the house of representatives to be known as the “Missouri State High School Activities Association Interim Committee”, which shall be composed of members of the house of representatives appointed by the speaker of the house of representatives. The speaker of the house of representatives shall choose the number of members who shall make up the committee.

2. The committee shall meet at least one time during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January.

3. The committee shall review issues pertaining to the Missouri State High School Activities Association.”; and

Further amend said bill, Pages 4-5, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the

constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, In the Title, Line 3, by deleting the phrase “higher education financial aid eligibility” and inserting in lieu thereof the following:

“elementary and secondary education”; and

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting after all of said section and line the following:

“162.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child’s participation in an advanced placement course or international baccalaureate course. Districts shall determine a child is gifted only if the child meets the definition of “gifted children” as provided in section 162.675.

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district’s weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district’s local effort and subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year

preceding the payment year:

(a) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

5. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county

tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1 and 2 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

6. (1) If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) In the 2017-18 school year and in each subsequent school year, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount. The provisions of this subdivision shall apply to districts entitled to receive state aid payments under both subsections 1 and 2 of this section but shall not apply to any school district with an average daily attendance of three hundred fifty or less.

7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.”; and

Further amend said bill, Pages 4-5, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.

Section C. Section 163.031 of section A of this act shall become effective July 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 650, Page 4, Section 160.545, Line 119, by inserting after all of said section and line the following:

“173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the “Access Missouri Financial Assistance Program”. The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution’s business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

(1) “Academic year”, the period from July first of any year through June thirtieth of the following year;

(2) “Approved private institution”, a nonprofit institution, dedicated to educational purposes, located in Missouri which:

(a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;

(c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;

(d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;

(e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(3) “Approved public institution”, an educational institution located in Missouri which:

(a) Is directly controlled or administered by a public agency or political subdivision;

(b) Receives appropriations directly or indirectly from the general assembly for operating expenses;

(c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;

(d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;

(e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students

on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(4) “Approved virtual institution”, an educational institution that meets all of the following requirements:

(a) Is recognized as a qualifying institution by gubernatorial executive order issued prior to August 28, 2016, and through a memorandum of understanding between the state of Missouri and the approved virtual institution;

(b) Is organized as a nonprofit institution;

(c) Is accredited by a regional accrediting agency recognized by the United States Department of Education;

(d) Has established and continuously maintains a physical campus or location of operation within the state of Missouri;

(e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in Missouri operations;

(f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students; and

(g) Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations.

(5) “Coordinating board”, the coordinating board for higher education;

[(5)] (6) “Expected family contribution”, the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

[(6)] (7) “Financial assistance”, an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

[(7)] (8) “Full-time student”, an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, or virtual institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

2. The failure of an approved virtual institution to continuously maintain all of the requirements in subdivision (4) of subsection 1 of this section shall preclude such institution’s students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

- (1) Is a citizen or a permanent resident of the United States;
- (2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;
- (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and
- (4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or] public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

- (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:
 - (a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;
 - (b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and
 - (c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;
- (2) For the 2014-15 academic year and subsequent years:
 - (a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and
 - (b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri[, or]; approved private institutions; **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the

maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

Further amend said bill, Pages 4-5, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, In the Title, by deleting the words, "higher education financial aid eligibility" and inserting in lieu thereof the words, "elementary and secondary education"

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting after all of said line the following:

"161.1005. 1. By July 1, 2017, the department of elementary and secondary education shall employ a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic

language therapist, or certified training specialist to serve as the department's dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department of elementary and secondary education shall ensure that the dyslexia specialist has completed training and received certification from a program approved by the legislative task force on dyslexia established in section 633.420 and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

(1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;

(2) Be responsible for the implementation of professional development; and

(3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.

4. In addition to the duties assigned under subsection 3 of this section, the dyslexia specialist shall assist the department of elementary and secondary education with developing and administering professional development programs to be made available to school districts no later than the 2017-18 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia.

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.

(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the findings and recommendations of the task force created under section 633.420.

(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the findings and recommendations of the task force created under section 633.420.

2. In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter schools may seek assistance from the department of elementary and secondary education in developing and providing such training. Completion of such training shall count as two contact hours of professional development under section 168.021.

3. For purposes of this section, the following terms mean:

(1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties with accurate

and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary;

(2) “Dyslexia screening”, a short test conducted by a teacher or school counselor to determine whether a student likely has dyslexia or a related disorder in which a positive result does not represent a medical diagnosis but indicates that the student could benefit from approved support;

(3) “Related disorders”, disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability;

(4) “Support”, low-cost and effective best practices, such as oral examinations and extended test-taking periods, used to support students who have dyslexia or any related disorder.

4. The state board of education shall promulgate rules and regulations for each public school to screen students for dyslexia and related disorders. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

5. Nothing in this section shall require the MO HealthNet program to expand the services that it provides.

633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties; any such support involving monetary expenses shall first be approved by the chairman of the joint committee on education. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, joint committee on education, and relevant state agencies regarding matters concerning

individuals with dyslexia, including education and other adult and adolescent services.

3. The task force shall be comprised of twenty members consisting of the following:

(1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;

(2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;

(3) The commissioner of education, or his or her designee;

(4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(5) A representative from a state teachers association or the Missouri National Education Association;

(6) A representative from the International Dyslexia Association of Missouri;

(7) A representative from Decoding Dyslexia of Missouri;

(8) A representative from the Missouri Association of Elementary School Principals;

(9) A representative from the Missouri Council of Administrators of Special Education;

(10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association;

(12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(15) One private citizen who has a child who has been diagnosed with dyslexia;

(16) One private citizen who has been diagnosed with dyslexia;

(17) A representative of the Missouri State Council of the International Reading Association; and

(18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the

president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and joint committee on education and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and joint committee on education.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall expire on August 31, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, in the Title, Line 3, by deleting the phrase “financial aid eligibility”; and

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting immediately after said line the following:

“167.638. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that [an immunization] **immunizations** against meningococcal disease [is] **are** available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student’s parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness, **including information on all meningococcal vaccines receiving a Category A or B recommendation from the Advisory Committee on Immunization Practices;** [and]

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals’s health care provider; **and**

(5) A recommendation that the current student or entering student receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention guidelines.

174.335. 1. Beginning with the 2004-05 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to have received the meningococcal vaccine **not more than five years prior to enrollment and in accordance with the latest recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention,** unless a signed statement of medical or religious exemption is on file with the institution’s administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a physician licensed under chapter 334 indicating that either the immunization would seriously endanger the student’s health or life or the student has documentation of the disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution’s administration that immunization violates his or her religious beliefs.

2. Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college.

3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.

4. For purposes of this section, the term “on-campus housing” shall include, but not be limited to, any fraternity or sorority residence, regardless of whether such residence is privately owned, on or near the campus of a public institution of higher education.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 650, Page 4, Section 160.545, Line 119, by inserting after all of said section and line the following:

“170.310. 1. For school year 2017-18 and each school year thereafter, upon graduation from high school pupils in public schools and charter schools shall have received thirty minutes of cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking given any time during a pupil’s four years of high school.

2. Beginning in school year 2017-18, any public school or charter school serving grades nine through twelve [may] **shall** provide enrolled students instruction in cardiopulmonary resuscitation. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. Instruction [may be embedded in any health education course] **shall be included in the district’s existing health or physical education curriculum.** Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, “psychomotor skills” means the use of hands-on practicing and skills testing to support cognitive learning.

[2.] **3.** The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

[3.] **4.** The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 650, Page 2, Section 160.545, Line 38, by deleting all of said line and inserting in lieu thereof the following:

“3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Any nonpublic school that applies shall not be eligible for any grants under this section. However, students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the private school shall be included in the

partnership plan developed by the public school district in which the non-public school is located. For purposes of subdivision (1) of subsection 2 of this section, the non-public school shall establish measurable performance standards for the goals of the program for every school and grade level over which the non-public school maintains control. Every non-public school that applies and has met the requirements of this section shall have its students eligible for A+ scholarships on an equal basis to students who graduate from A+ schools.

4. A school district may participate in the program irrespective of its”; and

Further amend said section and intersectional references accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to Senate Committee Substitute for Senate Bill No. 650, Page 2, Line 46, by deleting all of said line and inserting in lieu thereof the following:

“167.225. 1. As used in this section, the following terms mean:

(1) [“Blind persons”, individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity] **“Assessment”, the National Reading Media Assessment or another research-based assessment or series of research-based assessments authorized under the Individuals with Disabilities Education Act that determines a student’s reading and writing skills, needs, and appropriate reading and writing media and addresses the student’s academic and functional strengths, deficits, as well as the student’s current and future educational needs;**

(2) “Braille”, the system of reading and writing through touch [commonly known as standard English Braille];

(3) “Student”, any student who [is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142] **is eligible for special education services under the Individuals with Disabilities Education Act and who:**

(a) **Has an impairment in vision that, even with correction, adversely affects a child’s educational performance;**

(b) **Has a reasonable expectation of visual deterioration; or**

(c) **Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity or field.**

2. All students [may] **shall** receive instruction in Braille reading and writing as part of their individualized education plan **unless, as a result of an assessment, instruction in Braille or the use of**

Braille is determined not appropriate for the student. No student shall be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Instruction in Braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

(1) How Braille will be implemented as the primary mode for learning through integration with normal classroom activities. If Braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which Braille instruction will commence;

(3) The level of competency in Braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing Braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963, parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have the right to:

(1) An independent evaluation at public expense for any agency evaluation, including the assessment established under subdivision (1) of subsection 1 of section 167.225;

(2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams determination of the need for Braille instruction;

(3) File a due process complaint with the department of elementary and secondary education concerning the proposed action of the agency regarding provision of Braille instruction or any other matter related to the provision of a free appropriate public education to the student which will be forwarded to the Administrative Hearing Commission for an impartial hearing; and

(4) A resolution meeting convened by the school with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process complaint to discuss the due process complaint and the facts that form the basis of the complaint so that the school and parent have the opportunity to resolve the dispute.

171.031 1. Each school board shall prepare annually a calendar for the school term,"; and

Further amend said amendment, Page 4, Line 14, by inserting after all of said line the following:

"Further amend said bill, Pages 4-5, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public

health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, In the Title, Line 3, by deleting the words “higher education financial aid eligibility” and inserting in lieu thereof the words “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) “Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

(a) Interactive literacy activities between parents and their children;

(b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;

(c) Parent literacy training that leads to high school completion and economic self sufficiency; and

(d) An age-appropriate education to prepare children of all ages for success in school;

(4) “Graduation rate”, the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;

(5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

(6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

(7) “Public school” includes all elementary and high schools operated at public expense;

(8) “School board”, the board of education having general control of the property and affairs of any school district;

(9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in

section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. **In the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required with no minimum number of school days required.** A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment aligned with the student's career academic plan for a total of [one thousand forty-four] **the required number of hours as provided in this subdivision;**

(10) "Secretary", the secretary of the board of a school district;

(11) "Seven-director district", any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;

(12) "Taxpayer", any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;

(13) "Town", any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

(14) "Urban school district", any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.041. 1. The "minimum school day" consists of three hours for schools with a five-day school week or four hours for schools with a four-day school week in which the pupils are under the guidance and direction of teachers in the teaching process. A "school month" consists of four weeks of five days each for schools with a five-day school week or four weeks of four days each for schools with a four-day school week. **In the school year 2017-18 and subsequent years, no minimum number of school days shall be required, and each school district shall define, for itself, the term "school day" or "minimum school day".** The "school year" commences on the first day of July and ends on the thirtieth day of June following.

2. Notwithstanding the provisions of subsection 1 of this section, the commissioner of education is authorized to reduce the required number of hours [and] **or** days in which the pupils are under the guidance and direction of teachers in the teaching process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033 prevents students from attending the public school facility.

Such reduction shall not extend beyond two calendar years in duration."; and

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting immediately after said line the

following:

“171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date, **days of planned attendance**, and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. **In the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required for the school term with no minimum number of school days.** In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033. **In the school year 2017-18 and subsequent years, such calendar shall include thirty-six make-up hours for possible loss of attendance due to inclement weather, as defined under subsection 1 of section 171.033, with no minimum number of make-up days.**

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. [No school day for schools with a five-day school week shall be longer than seven hours except for vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, and any school that adopts a four-day school week in accordance with section 171.029.] **No cap on the number of hours in a school day shall be imposed on school districts.**

171.033. 1. “Inclement weather”, for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is

necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays. **Notwithstanding the above, in the school year 2017-18 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one thousand forty-four hours for the school year.**

3. In the 2009-10 school year and **all** subsequent years **through the 2016-17 school year**, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

4. The commissioner of education may provide, for any school district [in which schools are in session for twelve months of each calendar year] that cannot meet the minimum school calendar requirement of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week and one thousand forty-four hours of actual pupil attendance **or, in the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance**, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather, flooding or fire.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bill No. 650, Page 1, In the Title, Line 3, by deleting the phrase “higher education financial aid eligibility” and inserting in lieu thereof the following:

“elementary and secondary education”; and

Further amend said bill, Page 4, Section 160.545, Line 119, by inserting after all of said section and line the following:

“170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate **according to evidence-based research** and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) Present students with the latest **evidence-based**, medically factual information regarding both the

possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases; or shall present students with information on contraceptives and pregnancy in a manner consistent with the provisions of the federal abstinence education law, 42 U.S.C. Section 710;

(4) Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan;

(5) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

(6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566 pertaining to statutory rape;

(7) Teach pupils about the dangers of sexual predators, including online predators when using electronic communication methods such as the internet, cell phones, text messages, chat rooms, email, and instant messaging programs. Pupils shall be taught how to behave responsibly and remain safe on the internet and the importance of having open communication with responsible adults and reporting any inappropriate situation, activity, or abuse to a responsible adult, and depending on intent and content, to local law enforcement, the Federal Bureau of Investigation, or the National Center for Missing & Exploited Children's CyberTipline; and

(8) Teach pupils about the consequences, both personal and legal, of inappropriate text messaging, even among friends.

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards or charter schools, consistent with the provisions of section 167.611.

3. A school district or charter school which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district or charter school shall determine the specific content of the district's or school's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district or charter school shall notify the parent or legal guardian of each student enrolled in the district or school of:

(1) The basic content of the district's or school's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's or school's human sexuality instruction.

6. A school district or charter school shall make all curriculum materials used in the district's or school's human sexuality instruction available for public inspection pursuant to chapter 610 prior to the use of such materials in actual instruction.

7. No school district or charter school, or its personnel or agents, shall provide abortion services, or permit a person or entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if such person or entity is a provider of abortion services.

8. As used in this section, the following terms mean:

(1) "Abortion", the same meaning as such term is defined in section 188.015;

(2) "Abortion services":

(a) Performing, inducing, or assisting in the performance or inducing of an abortion which is not necessary to save the life of the mother;

(b) Encouraging a patient to have an abortion or referring a patient for an abortion[,] which is not necessary to save the life of the mother; or

(c) Developing or dispensing drugs, chemicals, or devices intended to be used to induce an abortion which is not necessary to save the life of the mother.""; and

Further amend said bill, Pages 4-5, Section B, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.""; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Richard assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 1763**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 732**, as amended: Senators Munzlinger, Libla, Wasson, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee

from the House on **HCS** for **SS** for **SB 608**, as amended: Senators Sater, Romine, Onder, Schupp and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 700**, as amended: Senators Schatz, Parson, Libla, Curls and Walsh.

Senator Wallingford assumed the Chair.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 2111, regarding Lana Archer, Doolittle, which was adopted.

Senator Brown offered Senate Resolution No. 2112, regarding Janet Susan Dye Bilbary, Newburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, teachers, parents and fourth grade students, Stormy and Maddie Taylor; Faithia and Addison Gillogly; Stephanie and Quade Othic; Chris and Cailynn Ruhnke; Sherri Hibdon; Carly, Dawson and Sophie Joyner; Matt, Kary and Hailey Wilson; LuAnn and Sampson Stillwell; Stacie and Maddie Bell; Tammy Burris Pelerman and Madi Pelerman; Amanda and Maelynn Whitworth; Amie, Lexi and Laney Etters; Kristin and Caitlin Shaw; Chenelle and Abby McNair; Janet and Brinlea Rhyne; Josh Swisher; Stella McNeel and Alexa Goodwin; Stacey and Olivia Gilkeson; Trenton Barnhart; Anjanette, Jenna and Jordan Ladd; Bobbie, Grace, Audrey and Jack Irmischer; Marcy and Gracie Bryant; Neet McCowen and Nick Russell; Sue, Madelyn and Manoor Kennish; Hannah Huggins; Taylor Johnson; Bailey Bromwell; Stephanie Blew, and Addison Withrow, Sterling Elementary School, Warrensburg.

Senator Schaefer introduced to the Senate, Kristen Bishop, Columbia.

Senator Schmitt introduced to the Senate, David Beck, Truman State University.

Senator Romine introduced to the Senate, Sherry Hammer, Dittmer.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-SECOND DAY—TUESDAY, MAY 2, 2016

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1465
HCS for HB 2327
HCS for HB 1765

HCS for HBs 1589 & 2307
HRB 2467-Shaul
HB 2473-Montecillo

THIRD READING OF SENATE BILLS

SCS for SBs 588, 603 & 942-Dixon and
Curls (In Fiscal Oversight)
SCS for SB 998-Romine (In Fiscal Oversight)

SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)
SS for SCS for SB 788-Schatz

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HB 1565-Engler (Romine)
(In Fiscal Oversight)
4. HCS for HB 1696, with SCS (Riddle)
(In Fiscal Oversight)
5. HB 1892-Rehder (Schatz) (In Fiscal Oversight)
6. HB 2104-Alferman, with SCS (Schmitt)
7. HCS for HB 1675, with SCS (Munzlinger)
8. HCS for HB 2381 (Munzlinger)
9. HB 1577-Higdon, with SCS (Riddle)
10. HCS for HB 1433, with SCS (Sater)
11. HCS for HB 1930 (Riddle)
12. HCS for HB 2202, with SCS (Dixon)
13. HCS for HB 2376, with SCS (Wasson)
14. HCS for HB 1713, with SCS (Emery)
(In Fiscal Oversight)
15. HCS for HB 1898 (Emery)
16. HCS for HB 2380, with SCS (Schatz)
(In Fiscal Oversight)

17. HCS for HB 1684 (Riddle)
18. HCS for HB 1941, with SCS (Schaefer)
(In Fiscal Oversight)
19. HCS for HB 1776 (Romine)
20. HJR 58-Brown (57) (Romine)
(In Fiscal Oversight)
21. HCS for HB 2038 (Munzlinger)
22. HB 1588-Franklin, with SCS (Parson)
23. HCS for HB 1759, with SCS (Dixon)
(In Fiscal Oversight)
24. HCS for HB 1862, with SCS (Schaefer)
25. HCS for HB 1432, with SCS (Wieland)
26. HCS for HB 1463 (Kraus)
(In Fiscal Oversight)
27. HCS for HB 2029 (Sater)
28. HB 1478-Entlicher, with SCS (Pearce)
29. HB 2111-Eggleston (Sater)
30. HB 1443-Leara (Riddle)
31. HCS for HB 2150 (Wieland)
32. HCS for HB 1464, with SCS (Brown)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 596-Kraus, with SCS

SB 622-Romine, with SCS

SB 644-Onder, with SCS

SBs 662 & 587-Dixon, with SCS

SB 680-Emery

SB 686-Wallingford, with SCS

SB 706-Dixon

SB 719-Emery, with SCS

SB 733-Dixon

SB 734-Dixon

SB 771-Onder

SB 772-Onder, with SCS

SB 774-Schmitt

SB 775-Schaefer

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SBs 789 & 595-Wasson, with SCS

SB 792-Richard

SB 793-Richard

SB 798-Kraus, with SCS

SB 802-Sater

SB 805-Onder, with SCS

SB 806-Onder, with SCS

SB 812-Keaveny

SB 816-Wieland, et al

SB 825-Munzlinger, with SA 1 (pending)

SB 830-Wasson, with SCS

SB 848-Emery, with SCS

SBs 851 & 694-Brown, with SCS

SB 853-Brown

SB 858-Romine, with SCS & SS for SCS
(pending)

SB 868-Wasson

SB 871-Wallingford

SB 883-Riddle

SB 894-Munzlinger, with SS (pending)

SB 896-Hegeman

SB 898-Cunningham

SB 908-Sater, with SCS

SB 916-Schaefer

SB 920-Schmitt and Kraus

SB 951-Wasson, with SA 1 (pending)

SB 964-Wallingford, with SCS (pending)

SB 966-Schaaf

SB 972-Silvey

SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending)

SB 995-Riddle

SB 1003-Onder

SB 1004-Onder

SB 1005-Walsh

SBs 1010, 958 & 878-Curls, with SCS

SB 1012-Dixon

SB 1014-Dixon

SB 1026-Schatz, with SCS

SB 1028-Silvey, et al, with SCS

SB 1033-Pearce

SB 1066-Curls

SB 1074-Schmitt, with SCS

SB 1075-Wallingford

SB 1085-Pearce
SB 1091-Riddle
SB 1094-Kehoe, with SCS
SB 1096-Dixon and Keaveny, with SS
(pending)
SB 1117-Wasson, with SCS

SB 1120-Hegeman, et al
SB 1131-Sifton
SB 1144-Brown
SJR 23-Sater, with SS (pending)
SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HBs 1434 & 1600, with SCS (Walsh)
HB 1435-Koenig (Kraus)
HB 1452-Hoskins, with SCS (Pearce)
HB 1472-Dugger (Dixon)
HB 1479-Entlicher (Romine)
HB 1530-Brown (57) (Munzlinger)
HB 1575-Rowden, with SCA 1 (Onder)
HB 1582-Kelley, with SCS (Kraus)
HCS for HB 1599, with SCS (Sater)
HB 1619-McCaherty (Dixon)
SS#2 for SCS for HB 1631-Alferman
(Kraus) (In Fiscal Oversight)
HB 1643-Hicks (Brown)
HCS for HB 1649, with SCS (Parson)
HCS for HB 1658 (Onder)
HB 1678-Solon, with SCS (Pearce)
HCS for HB 1717 (Wallingford)
HCS for HB 1729 (Munzlinger)
HB 1745-Brattin, with SCS (Schatz)
HCS for HBs 1780 & 1420 (Pearce)

HB 1795-Haefner, with SCS (Sater)
HCS for HB 1804, with SCS (Emery)
HCS for HB 1850 (Wasson)
HCS for HB 1904, with SCS (Wallingford)
HB 2166-Alferman, with SCS, SS#2 for SCS,
SA 1 & SSA 1 for SA 1 (pending) (Onder)
HCS for HB 2187, with SCS (pending)
(Cunningham)
HB 2226-Barnes (Silvey)
HB 2230-Ross (Schatz)
HCS for HBs 2234 & 1985 (Pearce)
HB 2257-Jones, with SCS (Wieland)
HCS for HB 2332, with SCS (Dixon)
HCS for HB 2397 (Romine)
HB 2429-Dohrman, with SCS (Parson)
HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2689 (Silvey)
SS for HJR 53-Dugger (Kraus)
(In Fiscal Oversight)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)
HB 2428-Swan (Pearce)
HB 2195-Hoskins (Pearce)

HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 1559-McCann Beatty (Curls)

HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)
 HB 1473-Dugger, with SCS (Wasson)
 HCS for HB 1480 (Hegeman)
 HB 1388-Roeber (Dixon)

HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 572-Schmitt, with HCS,
 as amended
 SCS for SB 578-Keaveny, with HCS,
 as amended
 SB 635-Hegeman, with HCS, as amended
 SCS for SB 650-Pearce, with HA 1, HA 2,
 HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
 as amended, & HA 9
 SS for SCS for SB 657-Munzlinger, with
 HCS, as amended
 SB 665-Parson, with HCS, as amended

SCS for SB 814-Wallingford, et al, with
 HCS
 SS for SCS for SBs 865 & 866-Sater, with
 HCS, as amended
 SB 867-Sater, with HCS, as amended
 SCS for SB 921-Riddle, with HA 1, as
 amended, HA 2, HA 3, HA 4, HA 5 &
 HA 6, as amended
 SB 994-Munzlinger, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 607-Sater, with HCS, as amended
 SS for SB 608-Sater, with HCS, as amended
 SS for SB 621-Romine, with HCS,
 as amended
 SB 639-Riddle, with HCS, as amended

SB 677-Sater, with HCS, as amended
 SB 700-Schatz, with HA 1, as amended & HA 2
 SS for SB 732-Munzlinger, with HCS,
 as amended

Requests to Recede or Grant Conference

HB 1870-Hoskins, with SAs 1, 3, 4 & 5
 (Pearce) (House requests Senate
 recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls

SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

To be Referred

SR 2110-Dixon

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SECOND DAY—TUESDAY, MAY 3, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“All progress has resulted from people who took unpopular positions.” (Adlai E. Stevenson)

Heavenly Father, we thank You for being with us for we realize that many times what we consider to be the right thing to do puts us at odds with others. Grant us the strength and wisdom as we seek to do what You desire for us allowing us to do what is effective and right for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV and Missourinet were given permission to take pictures in the Senate Chamber.

The President requested the Journal be read.

The Journal for Monday, May 2, 2016 was read in part.

Senator Kehoe moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read.

Senator Chappelle-Nadal rose to object.

The President indicated that there was a motion before the body, rather than a unanimous consent request, and therefore the objection was not recognized.

The motion to dispense with further reading of the Journal and approve it as though having been fully read was adopted.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 765**, entitled:

An Act to repeal sections 610.026 and 610.100, RSMo, section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof five new sections relating to conduct of political subdivisions, public servants, and law enforcement officials.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment Nos. 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 2 to House Amendment No. 12, House Amendment No. 3 to House Amendment No. 12, House Amendment No. 12 as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Section 304.125, Line 4, by inserting after all of said section and line the following:

“321.315. 1. Notwithstanding any other provision of this chapter, any owner of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may petition the circuit court in the county in which the real property is located requesting a declaratory judgment under sections 527.010 to 527.130 as to which one fire protection district or fire department has jurisdiction over the property regarding the provision of fire protection and emergency services and the levy of taxes. Two or more owners of real property that is alleged to be subject to the levy of taxes and the jurisdiction of two fire protection districts, or alleged to be subject to the levy of taxes and the jurisdiction of one fire protection district and one fire department, may jointly petition the circuit court.

2. The fire protection district or fire department that is found not to have jurisdiction over the real property that is the subject of the declaratory judgment shall be liable for the costs of the action, including reasonable attorney fees, to the other parties to the action.

3. Any person as defined in section 527.130 that is aggrieved by the judgment and decree of the circuit court may appeal in like manner as appeals are taken in other civil cases.

4. This section shall not apply to any fire protection district to which section 72.418 applies.

527.130. The word “person”, wherever used in sections 527.010 to 527.130, shall be construed to mean any person, including a minor represented by next friend or guardian ad litem and any other person under disability lawfully represented, partnership, joint-stock company, corporation, unincorporated association or society, **fire protection district**, or municipal or other corporation of any character whatsoever.

Further amend said bill, Page 9, Section 610.100, Line 140, by inserting after all of said section and line the following:

“Section B. Because immediate action is necessary to prevent citizens of this state from double taxation for fire protection services, the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 321.315 and the repeal and reenactment of section 527.130 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 4, Line 38, by deleting all of said line and inserting in lieu thereof the following:

“(2) Any other remedy the court deems appropriate.

9. The provisions of this section shall not apply to any city of the third classification with more than eleven thousand five hundred but fewer than thirteen thousand inhabitants and located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants or any city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants and located in any county of the first classification with more than one hundred fifteen thousand but fewer than one hundred fifty thousand inhabitants.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Line 21, by deleting the word “**fifty**” and inserting in lieu thereof the word “**thirty-five**”; and

Further amend said amendment, lines 22-24, by deleting all of said lines and inserting in lieu thereof the following:

“such local government; or; and

Further amend said amendment, Page 2, Line 20, by deleting the word “**one**” and inserting in lieu thereof the word “**six**”; and

Further amend said amendment, Line 22, by inserting immediately after the phrase “**economic development**” on said line the following:

“, but in no situation shall the figure be adjusted in a negative manner”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“71.284. 1. For purposes of this section, the following terms mean:

(1) “Communication service”, a service that transports information electronically including, but not limited to, internet protocol enabled services;

(2) “Competitive service”, a wholesale or retail offering of a specific communication service that is provided by one or more service providers within the boundaries of the local government. “Competitive service” shall not mean:

(a) Any service that a local government is prohibited from offering by law;

(b) The provision of free wireless communication services to the public;

(c) Any communication service that a local government uses for its own internal purposes;

(d) Any dark fiber that a local government may provide without including transmission of information in its offering if such dark fiber is made available to all service providers under the same terms and conditions;

(e) Any communication service to be provided by a local government if the proposed communication service meets the following requirements on the date of initial offering to the public:

a. The service is substantially similar to a service being offered by one or more service providers within such local government;

b. The service is offered to at least fifty percent of the addresses within the boundaries of such local government; and

c. The service is offered at speeds that are fifty percent greater than any maximum retail service speeds offered by a service provider within such local government; or

(f) Any internet broadband service that does not meet the minimum speed of broadband as defined in FCC 14-190;

(3) “Dark fiber”, unlit fiber optic cable that does not include the electronics necessary to transmit or receive information;

(4) “Fiscal impact”, the total estimated cost of providing the proposed service, including the annual operating cost, the fair market value of all resources provided by the local government, interest, the cost of physical facilities, and compensation of staff;

(5) “Local government”, any city, town, village, or entity under the ownership or control of any city, town, or village;

(6) “Service provider”, a wireless service provider, broadband or other internet protocol enabled service provider, video service provider, telecommunications company, or other communications-related service provider;

(7) “Wireless service provider”, a provider of commercial mobile service under Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151, et seq).

2. On or after August 28, 2016, no local government may offer to provide a competitive service unless:

(1) The local government offered such competitive service for purchase before August 28, 2016. Such local government may continue to provide such competitive service and may continue to use necessary infrastructure to provide such service. It may upgrade, improve, or enhance such infrastructure to continue to provide such service to its customers and prospective customers, including any modification or expansion to provide additional features or quality through products or technology not previously utilized;

(2) The competitive service is not being offered to fifty percent of the addresses by any combination of service providers within the boundaries of such local government;

(3) The fiscal impact to the local government of providing such competitive service is less than one million dollars over the initial five-year period such service will be offered, with such figure adjusted annually according to the applicable consumer price index utilized by the department of economic development;

(4) A single actual or potential business or a local government, on behalf of such business, makes a request for a communication service of a specific speed in excess of one gigabit per second download speed at a specific location that all service providers are unable or unwilling to provide. If such is the case, such local government may offer such service to such single business at a cost not below market price; or

(5) Such competitive service offering is approved by a majority of the voters of the local government voting thereon, as provided in this section. Once a local government receives approval by a majority of voters, it may upgrade, improve, or enhance such infrastructure to continue to provide such service to its customers and prospective customers, including any modification or expansion to provide additional features or quality through products or technology not previously utilized.

3. To place the question of providing a competitive service on the ballot, the local government shall complete a study concerning the feasibility of offering the service including, but not limited to, the financial implications to the local government, including for the initial five-year period such service will be offered; the access to the service being provided by private business; and other relevant factors; and shall release the results of the study to the public at least ninety days prior to the question being placed before the voters.

4. Nothing in this section shall be construed to require multiple votes to obtain authorization to provide a competitive service and authorization regarding fiscal issues. A local government may name the individual service providers necessary to meet the definition of a competitive service under this section. Depending on the question to be asked, the question shall be submitted in substantially one of the following forms:

(1) “Shall (name of local government) offer (name and description of competitive service) in competition with current private business at an estimated cost of (estimated cost of the project determined under subsection 3 of this section) over the initial five-year period of operation?”;

(2) “Shall (name of local government) offer (name and description of competitive service) in competition with current private business at an estimated cost of (estimated cost

of the project determined under subsection 3 of this section) over the initial five-year period of operation, and shall such competitive service be financed from (description of where and by what means revenue shall be obtained)?”; or

(3) “After previously approving the question of whether (name of local government) offer (name and description of competitive service) in competition with current private business, shall such competitive service be financed from (description of where and by what means revenue shall be obtained)?”.

5. If a local government offers a communications service where a private business also offers such service:

(1) No financial subsidization to support the service shall be allowed from revenue collected from other services offered by the local government, unless such usage of funds for the competitive service is specifically approved by voters. The provisions of this subdivision shall become void if such practice is determined by a court of competent jurisdiction to be unlawful. The use of assets owned by the local government, which are provided under an agreement requiring the payment of fair market value for use of such assets, shall not be considered financial subsidization under this subdivision. The issuance of a loan by the local government, which is provided under an agreement requiring the payment of principal and interest, shall not be considered financial subsidization under this subdivision;

(2) Except as provided under subdivisions (3) and (6) of this subsection, no assets or funds of the local government shall support such service, unless the voters of the local government approve a specific usage or revenue stream for the service;

(3) The local government may provide infrastructure owned by the local government, or any subdivision thereof, for the purpose of providing a competitive service under this section, if the subdivision of the local government offering such competitive service enters into an agreement to pay the local government, or subdivision thereof, the fair market value of such infrastructure or portion thereof used in the competitive service, unless the voters of the local government approve the use of such infrastructure without such payment. Further, notwithstanding subsection 2 of this section to the contrary, if the local government provides wholesale communication services to other political subdivisions for retail offerings or other communication service providers, it shall offer those wholesale communication services to any service provider under the same terms and conditions;

(4) The competitive service offered by a local government shall not receive any preferential access to public right-of-way and shall be subject to the same zoning and land use requirements as competitive services offered by other service providers;

(5) The competitive service offered by a local government shall not be provided under exclusive service arrangements that prohibit other service providers from offering competitive services; and

(6) A local government may issue a loan to the subdivision of the local government wishing to provide competitive service; provided that:

(a) Such loan is of a duration of no more than five years;

(b) The total of all loans issued to such subdivision by the local government does not exceed one million dollars; and

(c) The interest rate on such loan shall be no more than one percent above the prime interest rate as determined by the federal reserve system on the date the loan is approved, and the payback on such

loan shall include evenly divided principal payments over the term of the payback period.

This subsection shall not apply to any local government that provides competitive service under subdivision (1) of subsection 2 of this section.

6. If any resident or representative of a private business providing a competitive service, within the boundaries of such local government, has belief or knowledge that such local government has violated this section, he or she may file suit in a court of competent jurisdiction against the local government, or any such person may file an affidavit with the attorney general stating such belief or knowledge. Upon receiving such affidavit or on his or her own motion, the attorney general shall investigate the subdivision of the local government offering or seeking to offer the competitive service and, if the attorney general believes that the local government has violated this section, shall file suit against the local government on behalf of the state.

7. If the court finds that the local government has violated subsection 2 of this section, the court shall order the local government to cease providing the competitive service until such time that the local government obtains voter approval under subsections 3 and 4 of this section. If the court finds that the local government has violated subsection 5 of this section, the court shall order the local government to:

(1) Cease any action resulting in a violation of this section; and

(2) Refund the account or accounts, which originally had the funds that were improperly used under this section from revenues of the municipal service in question, in an amount equal to the amount that was improperly used under this section.

8. If the court finds that the local government has violated this section multiple times, the court may order:

(1) An audit performed by a third party of the municipal service in question. The court may order the local government to refund and remedy any audit findings; and

(2) Any other remedy the court deems appropriate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Pages 4-5, Section 610.026, Lines 1-45, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, In the Title, Lines 5-6, by deleting the words “conduct of political subdivisions, public servants, and law enforcement officials” and inserting in lieu thereof the word “political subdivisions”; and

Further amend said bill and page, Section A, Line 5, by inserting after all of said section and line the following:

“67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;
- (5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;
- (7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;
- (8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;
- (9) Any county of the second classification without a township form of government and a population of less than thirty thousand;
- (10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;
- (11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;
- (13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;
- (14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;
- (15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the

portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt; [or]

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; **or**

(37) Any city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Line 12 by deleting the letter “A” and inserting in lieu thereof the letter “D”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 4, Section 575.320, Line 31, by inserting after all of said section and line the following:

“575.353. 1. A person commits the offense of assault on a police animal if he or she knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2. The offense of assault on a police animal [is a class C misdemeanor], [unless] **regardless of whether** the assault results in the death of such animal or disables such animal to the extent it is unable to be utilized as a police animal, [in which case it] is a class [E] **A felony.**”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Section 71.1000, Line 40, by inserting after all of said section and line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political

subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale;

(11) That portion of privately owned land subject to a railroad easement upon which a railroad right-of-way exists and a state, political subdivision, or qualified organization has assumed responsibility for as provided in Section 16 U.S.C. 1247(d)."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or any city within such county may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted

in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund” and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions under sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all

exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required under sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided under section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided under sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the

tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. Notwithstanding any other provision of law, any tax authorized under the provisions of this section shall be submitted to the voters of the taxing jurisdiction for retention or repeal every five years using the same procedure by which the imposition of the tax was voted. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are in favor of retention, the tax shall continue in effect. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are not in favor of retention, the tax shall be repealed and that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Section 304.125, Line 4, by inserting after all of said section and line the following:

“575.145. 1. It shall be the duty of the operator or driver of any vehicle or any other conveyance regardless of means of propulsion, or the rider of any animal traveling on the highways of this state to stop on signal of any law enforcement officer **or firefighter** and to obey any other reasonable signal or direction of such law enforcement officer **or firefighter** given in directing the movement of traffic on the highways or enforcing any offense or infraction.

2. The offense of willfully failing or refusing to obey such signals or directions or willfully resisting or opposing a law enforcement officer **or a firefighter** in the proper discharge of his or her duties is a class A misdemeanor.

575.145. It shall be the duty of the operator or driver of any vehicle or the rider of any animal traveling on the highways of this state to stop on signal of any sheriff [or], deputy sheriff, **or firefighter** and to obey any other reasonable signal or direction of such sheriff [or], deputy sheriff, **or firefighter** given in directing the movement of traffic on the highways. Any person who willfully fails or refuses to obey such signals or directions or who willfully resists or opposes a sheriff [or], deputy sheriff, **or firefighter** in the proper discharge of his or her duties shall be guilty of a class A misdemeanor and on conviction thereof shall be punished as provided by law for such offenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for

Senate Bill No. 765, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“67.145. 1. No political subdivision of this state shall prohibit any first responder, as the term first responder is defined in section 192.800, from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.

2. As used in this section, “first responder” means any person trained and authorized by law or rule to render emergency medical assistance or treatment. Such persons may include, but shall not be limited to, emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency medical technicians, mobile emergency medical technicians, emergency medical technician-paramedics, registered nurses, or physicians.

67.746. 1. The governing body of any county of the third classification without a township”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“67.746. 1. The governing body of any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants as the county seat may impose, by order or ordinance, a surcharge on the rental of rafts, tubes, or other flotation devices and on the daily rental of rooms or accommodations by transient guests of hotels, motels, cabins, campsites, or campgrounds within the county. The surcharge authorized under this section shall be equal to five percent of the costs of such rentals. The surcharge authorized under this section shall be in addition to all other sales taxes and charges imposed by law and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body to impose a surcharge under this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the surcharge shall become effective on the first day of the second calendar quarter after the adoption of the surcharge. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the surcharge shall not become effective unless and until the question is again submitted to the voters and the voters approve such proposal. No proposal under this subsection shall be submitted to voters within one year of a previous proposal submitted to voters under this subsection.

3. All revenue collected under this section shall be deposited in a special trust fund, which is hereby created and shall be known as the “County Emergency and Public Safety Services Surcharge Fund”, and shall be used solely to offset the costs of providing emergency medical and public safety services within the county, including the costs associated with the construction and maintenance of a county jail. The moneys in the fund shall be distributed, as close as reasonably possible, in the following percentages:

(1) Ten percent to a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants located in the county;

(2) Ten percent to a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants located in the county;

(3) Ten percent to a city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and that is the county seat of the county;

(4) Five percent to the prosecutor offices in the county; and

(5) Sixty-five percent to the sheriff's offices in the county.

4. Every retailer, vendor, operator, and other person who sells goods and services subject to the surcharge authorized under this section shall be liable and responsible for the payment of surcharges due and shall make a return and remit such surcharges to the county at such times and in such manner as the governing body of the county shall prescribe. The collection of the surcharges imposed by this section shall be computed in accordance with schedules or systems approved by the governing body of the county. No surcharge shall be charged on any sale of one dollar or less.

5. The governing body of any county that has adopted the surcharge authorized under this section may submit the question of repeal of the surcharge to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the surcharge authorized in this section shall remain effective until the question is again submitted to the qualified voters under this subsection, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any county that has adopted the surcharge authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the surcharge imposed under this section, the governing body shall submit to the voters a proposal to repeal the surcharge. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the surcharge authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. If the surcharge is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the surcharge and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the surcharge, the county treasurer or equivalent official shall remit the balance in the account to the general fund of the county and close the special trust fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Section 71.1000, Line 40, by inserting immediately after all of said line the following:

“221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second quarter immediately following the election approving the proposal. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Regional Jail District Sales Tax Trust Fund”. The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not

be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, [2015] **2028.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, in the Title, Lines 5-6, by deleting the phrase "conduct of political subdivisions, public servants, and law enforcement officials" and insert in lieu thereof the words "political subdivisions"; and

Further amend said bill, Page 2, Section 71.1000, Line 40, by inserting immediately after said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission

shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure

geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants **or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants**, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy

thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Line 13, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 71.1000, Line 40, by inserting after all of said section and line the following:

“192.300. **1.** The county commissions [and] **with the concurrence of** the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions [and] **with the concurrence of** the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or county health board], such commission [or county health board] shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or county health board] of any such county has full power and authority to initiate the prosecution of any action under this section.

2. Notwithstanding the provisions of subsection 1 of this section, in the event of an emergency, a county commission or the county health center board may make and promulgate any orders, ordinances, rules, or regulations in order to protect public health, safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Committee Substitute for

Senate Bill No. 765, Page 1, Line 14, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 71.1000, Line 40, by inserting after all of said section and line the following:

“184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum and cultural district pursuant to the provisions of sections 184.800 to 184.880 shall be filed within [five] **ten** years after the Presidential declaration establishing the disaster area.

2. The proposed district area may contain one or more parcels of real property, which may or may not be contiguous and may further include any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums and cultural asset or cultural assets and a general plan for operation of each museum and each cultural asset within the district; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Line 13, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 71.1000, Line 40, by inserting after all of said section and line the following:

“221.102. 1. The sheriff of any county may establish and operate a canteen or commissary in the county jail for the use and benefit of the inmates, prisoners, and detainees.

2. Each county jail shall keep revenues received from its canteen or commissary in a separate account. The acquisition cost of goods sold and other expenses shall be paid from this account. A minimum amount of money necessary to meet cash flow needs and current operating expenses may be kept in this account. The remaining funds from sales of each canteen or commissary shall be deposited into the “Inmate Prisoner Detainee Security Fund” and shall be expended for the purposes provided in subsection 3 of section 488.5026. The provisions of section 33.080 to the contrary notwithstanding, the money in the inmate prisoner detainee security fund shall be retained for the purposes specified in section 488.5026 and shall not

revert or be transferred to general revenue.

3. Upon notice of release or discharge and receipt of authorizing documentation, a check for the inmate's canteen or commissary account balance shall be prepared if the inmate's account balance is ten dollars or more. The check shall be mailed to an address provided by the inmate. The inmate may receive the check upon discharge at the facility if 30 days notification is provided. If the inmate's account balance is less than ten dollars, the remaining funds in the inmate's account shall be deposited into the "Inmate Prisoner Detainee Security Fund" and shall be expended for the purposes provided in subsection 3 of section 488.5026. The provisions of section 33.080 to the contrary notwithstanding, the money in the inmate prisoner detainee security fund shall be retained for the purposes specified in section 488.5026 and shall not revert or be transferred to general revenue."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) "Governing body", the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) "Municipality", municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) "Political subdivision", counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, [and] any board of control of an art museum, **the board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SCS** for **SBs 588, 603** and **942**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Richard referred **SS** for **SCS** for **SB 788** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard referred **SR 2110** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 1465—Financial and Governmental Organizations and Elections.

HCS for HB 2327—Education.

HCS for HB 1765—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 1589 & 2307—Jobs, Economic Development and Local Government.

HRB 2467—Rules, Joint Rules, Resolutions and Ethics.

HB 2473—Transportation, Infrastructure and Public Safety.

HOUSE BILLS ON THIRD READING

HCS for HB 1717, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to public water systems.

Was taken up by Senator Wallingford.

Senator Emery offered **SS** for **HCS for HB 1717**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1717

An Act to repeal sections 393.1000, 393.1003, and 393.1006, RSMo, and to enact in lieu thereof six new sections relating to water systems serving the public.

Senator Emery moved that **SS** for **HCS for HB 1717** be adopted.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Wallingford, **HCS for HB 1717**, with **SS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Hegeman moved that the Senate refuse to concur in **HCS for SB 635**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sater moved that the Senate refuse to concur in **HCS for SS for SCS for SBs 865 and 866**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sater moved that the Senate refuse to concur in **HCS for SB 867**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Onder assumed the Chair.

Senator Pearce moved that the Senate refuse to concur in House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, House Amendment No. 8, as amended and House Amendment No. 9 to **SCS** for **SB 650**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 572**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 765**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Riddle moved that the Senate refuse to concur in House Amendment No. 1, as amended, House Amendment Nos. 2, 3, 4, 5, and House Amendment No. 6, as amended to **SCS** for **SB 921**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 578**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, and that the conferees be allowed to exceed the differences which motion prevailed.

THIRD READING OF SENATE BILLS

SCS for **SBs 588, 603** and **942**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 588, 603 and 942

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SBs 588, 603** and **942** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Emery	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wieland—23					

NAYS—Senators

Brown	Cunningham	Hegeman	Kraus	Sater	Schaaf	Schaefer
Schmitt	Wasson—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 66**.

HOUSE CONCURRENT RESOLUTION NO. 66

WHEREAS, meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. Although 1 in 10 people are carriers for this bacteria with no signs or symptoms of disease, sometimes *Neisseria meningitidis* bacteria can cause illness; and

WHEREAS, meningococcal disease is spread from person to person via the exchange of the bacteria through respiratory and throat secretion during close or lengthy contact; and

WHEREAS, in the U.S. there are approximately 1,000 to 1,200 cases of meningococcal disease that occur each year; and

WHEREAS, 10 to 15 percent of infected individuals will die, while 11 to 19 percent of those who live will suffer from serious morbidity, including loss of limbs and impacts to the nervous system; and

WHEREAS, infants under one year of age as well as young adults between the ages of 16 and 21 are most commonly impacted by this disease; and

WHEREAS, there are different strains or serogroups of *Neisseria meningitidis*, with serogroups B, C, and Y accounting for most meningococcal diseases in the U.S.; and

WHEREAS, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death; and

WHEREAS, vaccines are available to prevent meningococcal disease, and different vaccines provide coverage against certain specific serogroups of the disease; and

WHEREAS, while there are vaccines that help provide protection against all three serogroups (B, C, and Y) commonly seen in the U.S., only vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention; and

WHEREAS, the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults 16 through 23 years of age against serogroup B meningococcal disease should be made at the individual level with health care providers; and

WHEREAS, it is critical that students, parents, educators, and health care providers understand the dangers of meningitis B and are aware that a vaccine is available to prevent disease resulting from this serogroup:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby find that the recent incidence of meningococcal disease has served as a reminder of the critical role vaccinations play in helping to prevent this devastating illness; and

BE IT FURTHER RESOLVED that the Department of Health and Senior Services take all reasonable steps to urge all private and public high schools, colleges, and universities in Missouri to provide information to all students and parents about meningococcal disease, explaining the different disease serogroups, symptoms, risks, and treatment; and

BE IT FURTHER RESOLVED that such information shall also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices, including Category A and Category B recommendations, with specific information as to those persons at higher risk for the disease; and

BE IT FURTHER RESOLVED that each private and public high school, college, and university shall recommend that current and entering students receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices guidelines; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for every private and public high school, college, and university in Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 66**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed **Senate Concurrent Resolution No. 46**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call pertaining to **Senate Concurrent Resolution No. 46**.

AYES: 119

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Kirkton	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McCreery	McDaniel	McGaugh
Messenger	Miller	Montecillo	Moon	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145
Walker	White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 36

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	Green	Hubbard	Kendrick	Kratky	LaFaver
Lavender	May	McCann Beatty	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Rowland 29	Runions	Walton Gray
Webber						

ABSENT:7

Black	Ellington	Gardner	Hoskins	Hummel	Smith	Vescovo
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 1584**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 988**.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words “medical helicopters, with an emergency clause” and inserting in lieu thereof the words “emergency services, with an emergency clause for a certain section”; and

Further amend said bill and page, Section 190.265, Line 5, by deleting the number “**190.214**” and inserting in lieu thereof the number “**190.241**”; and

Further amend said bill, page, and section, Line 18, by inserting after all of said section and line the following:

“Section 1. The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.”; and

Further amend said bill, Page 2, Section B, Line 2, by deleting the words “section A” and inserting in lieu thereof the words “the enactment of section 190.265 of section A”; and

Further amend said bill, page, and section, Line 5, by deleting the words “section A” and inserting in lieu thereof the words “the enactment of section 190.265 of section A”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words “medical helicopters” and inserting in lieu thereof the words “emergency services”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“190.060. 1. An ambulance district shall have the following governmental powers, and all other powers incidental, necessary, convenient or desirable to carry out and effectuate the express powers:

(1) To establish and maintain an ambulance service within its corporate limits, and to acquire for,

develop, expand, extend and improve such service;

(2) To acquire land in fee simple, rights in land and easements upon, over or across land and leasehold interests in land and tangible and intangible personal property used or useful for the location, establishment, maintenance, development, expansion, extension or improvement of an ambulance service. The acquisition may be by dedication, purchase, gift, agreement, lease, use or adverse possession;

(3) To operate, maintain and manage the ambulance service, and to make and enter into contracts for the use, operation or management of and to provide rules and regulations for the operation, management or use of the ambulance service;

(4) To fix, charge and collect reasonable fees and compensation for the use of the ambulance service according to the rules and regulations prescribed by the board from time to time;

(5) To borrow money and to issue bonds, notes, certificates, or other evidences of indebtedness for the purpose of accomplishing any of its corporate purposes, subject to compliance with any condition or limitation set forth in sections 190.001 to 190.090 or otherwise provided by the Constitution of the state of Missouri;

(6) To employ or enter into contracts for the employment of any person, firm, or corporation, and for professional services, necessary or desirable for the accomplishment of the objects of the district or the proper administration, management, protection or control of its property;

(7) To maintain the ambulance service for the benefit of the inhabitants of the area comprising the district regardless of race, creed or color, and to adopt such reasonable rules and regulations as may be necessary to render the highest quality of emergency medical care; to exclude from the use of the ambulance service all persons who willfully disregard any of the rules and regulations so established; to extend the privileges and use of the ambulance service to persons residing outside the area of the district upon such terms and conditions as the board of directors prescribes by its rules and regulations;

(8) To provide for health, accident, disability and pension benefits for the salaried members of its organized ambulance district and such other benefits for the members' spouses and minor children, through either, or both, a contributory or noncontributory plan. The type and amount of such benefits shall be determined by the board of directors of the ambulance district within the level of available revenue of the pension program and other available revenue of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the ambulance district elected by the contributing members. The board of trustees shall not be the same as the board of directors;

(9) To purchase insurance indemnifying the district and its employees, officers, volunteers and directors against liability in rendering services incidental to the furnishing of ambulance services. Purchase of insurance pursuant to this section is not intended to waive sovereign immunity, official immunity or the Missouri public duty doctrine defenses; and

(10) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement and other employee-type fringe benefits, subject to the provisions of section 70.615, for the volunteer members of any organized ambulance district and such other benefits for their spouses and eligible unemancipated children, either through a contributory or noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who

is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the ambulance district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district.

2. The use of any ambulance service of a district shall be subject to the reasonable regulation and control of the district and upon such reasonable terms and conditions as shall be established by its board of directors.

3. A regulatory ordinance of a district adopted pursuant to any provision of this section may provide for a suspension or revocation of any rights or privileges within the control of the district for a violation of any regulatory ordinance.

4. Nothing in this section or in other provisions of sections 190.001 to 190.245 shall be construed to authorize the district or board to establish or enforce any regulation or rule in respect to the operation or maintenance of the ambulance service within its jurisdiction which is in conflict with any federal or state law or regulation applicable to the same subject matter.

5. After August 28, 1998, the board of directors of an ambulance district that proposes to contract for the total management and operation of the ambulance service, when that ambulance district has not previously contracted out for said service, shall hold a public hearing within a thirty-day period and shall make a finding that the proposed contract to manage and operate the ambulance service will:

(1) Provide benefits to the public health that outweigh the associated costs;

(2) Maintain or enhance public access to ambulance service;

(3) Maintain or improve the public health and promote the continued development of the regional emergency medical services system.

6. (1) Upon a satisfactory finding following the public hearing in subsection 5 of this section and after a sixty-day period, the ambulance district may enter into the proposed contract, however said contract shall not be implemented for at least thirty days.

(2) The provisions of subsection 5 of this section shall not apply to contracts which were executed prior to August 28, 1998, or to the renewal or modification of such contracts or to the signing of a new contract with an ambulance service provider for services that were previously contracted out.

7. All ambulance districts authorized to adopt laws, ordinances, or regulations regarding basic life support ambulances shall require such ambulances to be equipped with an automated external defibrillator and be staffed by at least one individual trained in the use of an automated external defibrillator.

8. The ambulance district may adopt procedures for conducting fingerprint background checks on current and prospective employees, contractors, and volunteers. The ambulance district may submit applicant fingerprints to the Missouri state highway patrol, Missouri criminal records repository, for the purpose of checking the person's criminal history. The fingerprints shall be used to search the Missouri criminal records repository and shall be submitted to the Federal Bureau of

Investigation to be used for searching the federal criminal history files. The fingerprints shall be submitted on forms and in the manner prescribed by the Missouri state highway patrol. Fees shall be as set forth in section 43.530.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words “medical helicopters” and inserting in lieu thereof the words “emergency services”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said section and line the following:

“190.257. 1. For the purposes of this section, the term “first responder” shall have the same meaning ascribed to it as in section 190.100.

2. Any first responder who in good faith provides emergency care or treatment to a person suffering from an apparent drug or alcohol overdose by the use or provision of restraints shall not be held liable for any civil damages as a result of such care or treatment unless the first responder acts in a willful and wanton or reckless manner in the use or provision of such restraints.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Bill No. 988, Page 3, Line 3, by inserting immediately after all of said line the following:

“furtherance of its research or teaching missions.

205.165. 1. The board of trustees of any hospital authorized under subsection 1 of this section and organized under the provisions of sections 205.160 to 205.340 may invest up to fifteen percent of their funds not required for immediate disbursement in obligations or for the operation of the hospital into any mutual fund, in the form of an investment company, in which shareholders combine money to invest in a variety of stocks, bonds, and money-market investments.

2. The provisions of this section shall only apply if the hospital:

(1) Is located within a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants; and

**(2) Receives less than one percent of its annual revenues from county or state taxes.”; and”;
and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 988, Page 1, In the Title, Lines 2-3, by deleting the words “medical helicopters” and inserting in lieu thereof the word “hospitals”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“96.192. 1. The board of trustees of any hospital authorized under subsection 2 of this section, and established and organized under the provisions of sections 96.150 to 96.229, may invest up to

twenty-five percent of the hospital's funds not required for immediate disbursement in obligations or for the operation of the hospital in any United States investment grade fixed income funds or any diversified stock funds, or both.

2. The provisions of this section shall only apply if the hospital:

(1) Receives less than one percent of its annual revenues from municipal, county, or state taxes; and

(2) Receives less than one percent of its annual revenue from appropriated funds from the municipality in which such hospital is located.”; and

Further amend said bill and page, Section 190.265, Line 18, by inserting after all of said section and line the following:

“197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time

of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; **or**

(2) Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions.”; and

Further amend said bill, Page 2, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because immediate action is necessary to preserve access to quality health care facilities for the citizens of Missouri, the enactment of section 190.265 and the repeal and reenactment of section 197.315 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the

constitution, and the enactment of section 190.265 and the repeal and reenactment of section 197.315 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words “medical helicopters” and inserting in lieu thereof the words “emergency services”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and pediatric trauma center when a hospital, upon proper application submitted by the hospital and site review, has been found by the department to meet the applicable level of trauma center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185.

2. **Except as provided in subsection 4 of this section**, the department shall designate a hospital as a STEMI or stroke center when such hospital, upon proper application and site review, has been found by the department to meet the applicable level of STEMI or stroke center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. In developing STEMI center and stroke center designation criteria, the department shall use, as it deems practicable, appropriate peer-reviewed or evidence-based research on such topics including, but not limited to, the most recent guidelines of the American College of Cardiology and American Heart Association for STEMI centers, or the Joint Commission’s Primary Stroke Center Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center Recommendations as published by the American Stroke Association.

3. The department of health and senior services shall, not less than once every five years, conduct an on-site review of every trauma, STEMI, and stroke center through appropriate department personnel or a qualified contractor, **with the exception of stroke centers designated under subsection 4 of this section; however, this provision shall not limit the department’s ability to conduct a complaint investigation under subdivision (3) of subsection 2 of section 197.080 of any trauma, STEMI, or stroke center**. On-site reviews shall be coordinated for the different types of centers to the extent practicable with hospital licensure inspections conducted under chapter 197. No person shall be a qualified contractor for purposes of this subsection who has a substantial conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The department may deny, place on probation, suspend or revoke such designation in any case in which it has reasonable cause to believe that there has been a substantial failure to comply with the provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. If the department of health and senior services has reasonable cause to believe that a hospital is not in compliance with such provisions or regulations, it may conduct additional announced or unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center fails two consecutive on-site reviews because of substantial noncompliance with standards prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections 190.001 to 190.245, its center designation shall be revoked.

4. **Instead of applying for stroke center designation under the provisions of subsection 2 of this section, a hospital may apply for stroke center designation under the provisions of this subsection.**

Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:

(1) A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines;

(2) A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines; or

(3) A level III stroke center if such hospital has been certified as an acute stroke-ready hospital by the Joint Commission or any other certifying organization designated by the department if such certification is in accordance with the American Heart Association and American Stroke Association guidelines.

Except as provided under subsection 5 of this section, the department shall not require compliance with any additional standards for establishing or renewing stroke designations. The designation shall continue if such hospital remains certified. The department may remove a hospital's designation as a stroke center if the hospital requests removal of the designation or the department determines that the certificate recognizing the hospital as a stroke center has been suspended or revoked. Because the department may not have access to the records of the certifying organization, any decision made by the department to withdraw its designation of a stroke center under this subsection that is based on the revocation or suspension of a certification by a certifying organization shall not be subject to judicial review. The department shall report to the certifying organization any complaint it receives related to the certification of a stroke center designated under this subsection. The department shall also advise the complainant of which organization certified the stroke center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying organization.

5. Any hospital receiving designation as a stroke center under subsection 4 of this section shall:

(1) Annually and within thirty days of any changes submit to the department proof of stroke certification and the names and contact information of the medical director and the program manager of the stroke center;

(2) Submit to the department a copy of the certifying organization's final stroke certification survey results within thirty days of receiving such results;

(3) Submit every four years an application on a form prescribed by the department for stroke center review and designation;

(4) Participate in the emergency medical services regional system of stroke care in its respective emergency medical services region as defined in 19 CSR 30-40.302; and

(5) Participate in local and regional emergency medical services systems by reviewing and sharing outcome data and providing training and clinical educational resources.

Any hospital receiving designation as a level III stroke center under subsection 4 of this section shall have a formal agreement with a level I or level II stroke center for physician consultative services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-thrombolytic therapy.

6. Hospitals designated as a STEMI or stroke center by the department, including those designated under subsection 4 of this section, shall submit data to meet the data submission requirements specified by rules promulgated by the department. Such submission of data may be done by the following methods:

(1) Entering hospital data directly into a state registry by direct data entry;

(2) Downloading hospital data from a nationally recognized registry or data bank and importing the data files into a state registry; or

(3) Authorizing a nationally recognized registry or data bank to disclose or grant access to the department to facility-specific data held by the registry or data bank.

A hospital submitting data under subdivision (2) or (3) of this subsection shall not be required to collect and submit any additional STEMI or stroke center data elements.

7. When collecting and analyzing data under the provisions of this section, the department shall comply with the following requirements:

(1) The names of any health care professionals as defined in section 376.1350 shall not be subject to disclosure;

(2) The data shall not be disclosed in a manner that permits the identification of an individual patient or encounter;

(3) The data shall be used for the evaluation and improvement of hospital and emergency medical services trauma, stroke, and STEMI care;

(4) The data collection system shall be capable of accepting file transfers of data entered into any nationally recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma, stroke, or STEMI certification reporting requirements;

(5) STEMI and stroke center data elements shall conform to nationally recognized performance measures, such as the American Heart Association's Get With the Guidelines, and include published, detailed measure specifications, data coding instructions, and patient population inclusion and exclusion criteria to ensure data reliability and validity; and

(6) Generate from the trauma, stroke, and STEMI registries quarterly regional and state outcome data reports for trauma, stroke, and STEMI designated centers for the state advisory council on emergency medical services and regional emergency medical services committees to review for performance improvement and patient safety.

8. The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient

to meet the standards for designations under this section.

9. The department of health and senior services may establish appropriate fees to offset the costs of trauma, STEMI, and stroke center reviews.

[5.] **10.** No hospital shall hold itself out to the public as a STEMI center, stroke center, adult trauma center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated as such by the department of health and senior services.

[6.] **11.** Any person aggrieved by an action of the department of health and senior services affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation, may seek a determination thereon by the administrative hearing commission under chapter 621. It shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department.”; and

Further amend said bill, Page 2, Section B, Line 2, by deleting the words “section A” and inserting in lieu thereof the words “the enactment of section 190.265 of section A”; and

Further amend said bill, page, and section, Line 5, by deleting the words “section A” and inserting in lieu thereof the words “the enactment of section 190.265 of section A”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 2113, regarding Carol Weir, St. Louis, which was adopted.

Senator Romine offered Senate Resolution No. 2114, regarding Gilbert Samuel “Pete” Young, Sainte Genevieve, which was adopted.

Senator Kehoe offered Senate Resolution No. 2115, regarding David Michael Dalton, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 2116, regarding Jerry and Melba Keele, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 2117, regarding Doug Austin, Cape Girardeau, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 1892**; **HCS** for **HB 1759**, with **SCS**; and **SS No. 2** for **HCS** for **HB 1631**, as amended, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SS No. 2** for **SCS** for **HB 1631**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS No. 2 for **SCS** for **HB 1631**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1804**, with **SCS**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to state energy plans.

Was taken up by Senator Emery.

SCS for **HCS** for **HB 1804**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1804

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof two new sections relating to state energy policies.

Was taken up.

Senator Emery offered **SS** for **SCS** for **HCS** for **HB 1804**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1804

An Act to repeal sections 386.266 and 393.1012, RSMo, and to enact in lieu thereof four new sections relating to state energy policies.

Senator Emery moved that **SS** for **SCS** for **HCS** for **HB 1804** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 7, Section 386.267, Line 25, by striking “customers” and inserting in lieu thereof the following: “**consumers**”,

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 12, Section 393.1012, Line 19 of said page, by inserting immediately after “projects.” the following: “**Under no circumstance shall the criteria set by the gas corporation discriminate against any contractor for either contracting with or not contracting with, a labor organization or union, as those terms are defined in section 290.210, for installing such gas utility plant projects.**”.

Senator Schatz moved that the above amendment be adopted.

Senator Walsh offered **SSA 1** for **SA 2**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 13, Section 393.1012, Lines 6-8 of said page, by striking said lines and inserting in lieu thereof the following: “**using a competitive bidding process for installing**; and further amend lines 16-20 of said page, by striking said lines and inserting in lieu thereof the following: “**with a contractor prior to its expiration.**”.

Senator Walsh moved that the above substitute amendment be adopted.

President Kinder assumed the Chair.

At the request of Senator Emery, **HCS** for **HB 1804**, with **SCS**, **SS** for **SCS**, **SA 2** and **SSA 1** for **SA 2** (pending), was placed on the Informal Calendar.

HCS for **HB 2689**, entitled:

An Act to amend chapters 393 and 620, RSMo, by adding thereto three new sections relating to the state's energy policies, with an emergency clause for a certain section.

Was taken up by Senator Silvey.

Senator Silvey offered **SS** for **HCS** for **HB 2689**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2689

An Act to repeal sections 386.266, 386.890, 393.1030, and 393.1075, RSMo, and to enact in lieu thereof twenty-eight new sections relating to the state's energy policies, with an emergency clause.

Senator Silvey moved that **SS** for **HCS** for **HB 2689** be adopted.

Under the provisions of Senate Rule 91, Senator Hegeman was excused from voting on the adoption of **SS** for **HCS** for **HB 2689**; third reading of the bill; and all amendments thereto.

Senator Silvey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 2689, Page 76, Section 393.1525, Line 28 of said page, by inserting immediately after said line the following:

“7. (1) In the first year that an electrical corporation elects to become a participating electrical corporation, and continuously thereafter, such participating electrical corporation shall make available an application for residential customers to apply to seek a Senior Assistance Fair Energy (SAFE) rate. Such applications for a SAFE rate made available to all residential customers of the participating electrical corporation beginning in the participating electrical corporation's first year that it elects to become a participating electrical corporation, shall be processed by the participating electrical corporation in order for the SAFE rate to be in effect at the time that rates established under the participating electrical corporation's first annual update filing made under section 393.1530 go into effect. Thereafter, any customer applications for a SAFE rate shall be processed so that such customer receives the SAFE rate in the following calendar year. Any customer granted a SAFE rate shall not have their electric utility rate from the participating electrical corporation increase by more than the same percent allocated in the cost of living adjustment for Social Security and Supplemental Security Income for any given calendar year. If no cost of living adjustment is provided under Social Security and Supplemental Security Income for any given year, such customers' rates shall not increase for that year.

(2) In order to qualify for a SAFE rate, such customer shall be at least seventy years of age, and under one hundred fifty percent of the federal poverty guidelines. If such person makes a SAFE rate application, and provides documentation proving that they meet the criteria, such person shall be granted a SAFE rate with such SAFE rate being in effect during the following calendar year; provided however, that the participating electrical corporation may rely upon a third party or community or government agency to verify any eligibility requirements set forth in this subdivision.

(3) Any costs not recovered due to the implementation of this subsection shall be borne by the participating electrical corporation's customer classes equally.”.

Senator Silvey moved that the above amendment be adopted.

Senator Silvey offered **SSA 1** for **SA 1**, entitled:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 2689, Page 76, Section 393.1525, Line 28 of said page, by inserting immediately after said line the following:

“7. (1) In the first year that an electrical corporation elects to become a participating electrical corporation, and continuously thereafter, such participating electrical corporation shall make available an application for residential customers to apply to seek a Senior Assistance Fair Energy (SAFE) rate. Such applications for a SAFE rate made available to all residential customers of the participating electrical corporation beginning in the participating electrical corporation's first year that it elects to become a participating electrical corporation, shall be processed by the participating electrical corporation in order for the SAFE rate to be in effect at the time that rates established under the participating electrical corporation's first annual update filing made under section 393.1530 go into effect. Thereafter, any customer applications for a SAFE rate shall be processed so that such customer receives the SAFE rate in the following calendar year. Any customer granted a SAFE rate shall not have their electric utility rate from the participating electrical corporation increase by more than the same percent allocated in the cost of living adjustment for Social Security and Supplemental Security Income for any given calendar year. If no cost of living adjustment is provided under Social Security and Supplemental Security Income for any given year, such customers' rates shall not increase for that year.

(2) In order to qualify for a SAFE rate, such customer shall be at least sixty-seven years of age, and under two hundred percent of the federal poverty guidelines. If such person makes a SAFE rate application, and provides documentation proving that they meet the criteria, such person shall be granted a SAFE rate with such SAFE rate being in effect during the following calendar year; provided however, that the participating electrical corporation may rely upon a third party or community or government agency to verify any eligibility requirements set forth in this subdivision.

(3) Any costs not recovered due to the implementation of this subsection shall be borne by the participating electrical corporation's customer classes equally.”.

Senator Silvey moved that **SSA 1** for **SA 1** be adopted.

Senator Silvey requested a roll call vote be taken on the adoption of **SSA 1** for **SA 1**. He was joined in his request by Senators Curls, Holsman, Kraus and Riddle.

Senator Silvey offered **SA 1** to **SSA 1** for **SA 1**, entitled:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 to Senate Substitute for House Committee Substitute for House Bill No. 2689, Page 2, Section 393.1525, Line 20 of said amendment page, by inserting immediately after “equally” the following: **“; but any rate increase due to the implementation of this subsection shall not cause the limitations set forth in section 393.1540 to be exceeded”.**

Senator Silvey moved that **SA 1** to **SSA 1** for **SA 1** be adopted.

Senator Riddle assumed the Chair.

President Pro Tem Richard assumed the Chair.

At the request of Senator Silvey, **HCS** for **HB 2689**, with **SS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

Senator Emery moved that **HCS** for **HB 1804**, with **SCS**, **SS** for **SCS**, **SA 2** and **SSA 1** for **SA 2** (pending), be called from the Informal Calendar and again taken up for third reading and final passage, which motion prevailed.

SSA 1 for **SA 2** was again taken up.

At the request of Senator Walsh, **SSA 1** for **SA 2** was withdrawn.

SA 2 was again taken up.

At the request of Senator Schatz, **SA 2** was withdrawn.

Senator Schatz offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 13, Section 393.1012, Line 6, by striking the word “ten” and inserting in lieu thereof the following: “**fifteen**”; and further amend said page, line 19, by striking the word “ten” and inserting in lieu thereof the following: “**fifteen**”.

Senator Schatz moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 6, Section 386.267, Line 1, by striking the word “**shall**” and insert in lieu thereof the following:

“**May**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Emery, **HCS** for **HB 1804**, with **SCS**, **SS** for **SCS**, **SA 3** and **SSA 1** for **SA 3** (pending), was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HB 1474**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2062**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 57**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 73**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 61**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2018**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2017**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 1534**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 641**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SCS** for **SB 921** with **HA 1** to **HA 1**, **HA 1** as amended, **HA 2**, **HA 3**,

HA 4, HA 5, HA 1 to HA 6, HA 6 as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SCS** for **SB 650** with **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 1 to HA 8, HA 8** as amended, **HA 9**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 572**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 765**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SBs 865 & 866**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 635**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 867**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 921**, as amended. Representatives: Franklin, Solon, Pfautsch, Montecillo, and Kirkton.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 650**, as amended. Representatives: Cookson, Dohrman, Lichtenegger, McNeil, and Rizzo.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 572**, as amended.

Representatives: Cornejo, McGaugh, Curtman, Rizzo, and Mitten.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 765**, as amended. Representatives: Cornejo, McGaugh, Curtman, McCreery, and Adams.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SBs 865 & 866**, as amended. Representatives: Engler, Morris, Wiemann, McNeil, and Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 635**, as amended. Representatives: Cornejo, Allen, Haefner, LaFaver, and Carpenter.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 867**, as amended. Representatives: Fitzpatrick, Jones, Rowden, McCreery, and Butler.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 864**, entitled:

An Act to repeal section 338.200, RSMo, and to enact in lieu thereof two new sections relating to the dispensing of medication.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words “the dispensing of medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

“376.685. 1. No agreement between a health carrier or other insurer that writes vision insurance and an optometrist for the provision of vision services on a preferred or in-network basis to plan members or insurance subscribers in connection with coverage under a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy shall require that an optometrist provide optometric or ophthalmic services or materials at a fee limited or set by the plan or health carrier unless the services or materials are reimbursed as covered services under the contract.

2. No provider shall charge more for services or materials that are not covered under a health benefit or vision plan than his or her usual and customary rate for those services or materials.

3. Reimbursement paid by the health benefit or vision plan for covered services or materials

shall be reasonable and shall not provide nominal reimbursement in order to claim that services or materials are covered services. No health carrier shall provide de minimis reimbursement or coverage in an effort to avoid the requirements of this section.

4. No vision care insurance policy or vision care discount plan that provides covered services for materials shall have the effect, directly or indirectly, of limiting the choice of sources and suppliers of materials by a patient of a vision care provider.

5. Notwithstanding any other provisions in this section, nothing shall prohibit an optometrist from contractually opting in to an optometric services discount plan sponsored by a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy.

6. For the purposes of this section, the following terms mean:

(1) “Covered services”, optometric or ophthalmic services or materials for which reimbursement from the health benefit or vision plan is provided for by an enrollee’s plan contract, or for which a reimbursement would be available but for the application of the enrollee’s contractual limitations of deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;

(2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;

(3) “Health carrier”, the same meaning as such term is defined in section 376.1350;

(4) “Materials”, includes, but is not limited to, lenses, frames, devices containing lenses, prisms, lens treatment and coatings, contact lenses, orthoptics, vision training devices, and prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or its adnexa;

(5) “Optometric services”, any services within the scope of optometric practice under chapter 336;

(6) “Vision plan”, any policy, contract of insurance, or discount plan issued by a health carrier, health benefit plan, or company that provides coverage or a discount for optometric or ophthalmic services or materials.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2 and 3, by deleting the words “the dispensing of medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“192.380. 1. For purposes of this section, the following terms shall mean:

(1) “Birthing facility”, any hospital as defined under section 197.020 with more than one licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a birthing center licensed under sections 197.200 to 197.240;

(2) “Department”, the department of health and senior services.

2. After holding multiple public hearings in diverse geographic regions of the state and seeking broad public and stakeholder input, the department shall establish criteria for levels of maternal care designations and levels of neonatal care designations for birthing facilities. The levels developed under this section shall be based upon:

(1) The most current published version of the “Levels of Neonatal Care” developed by the American Academy of Pediatrics;

(2) The most current published version of the “Levels of Maternal Care” developed by the American Congress of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine; and

(3) Necessary variance when considering the geographic and varied needs of citizens of this state.

3. Nothing in this section shall be construed in any way to modify or expand the licensure of any health care professional.

4. Nothing in this section shall be construed in any way to require a patient be transferred to a different facility.

5. The department shall promulgate rules to implement the provisions of this section no later than January 1, 2017. Such rules shall be limited to those necessary for the establishment of levels of neonatal care designations and levels of maternal care designations for birthing facilities under subsection 2 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Beginning January 1, 2018, any hospital with a birthing facility shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

7. Beginning January 1, 2018, any hospital with a birthing facility operated by a state university shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

8. The department may partner with appropriate nationally recognized professional organizations with demonstrated expertise in maternal and neonatal standards of care to administer the provisions of this section.

9. The criteria for levels of maternal and neonatal care developed under subsection 2 of this section shall not include pregnancy termination or counseling or referral for pregnancy termination.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the phrase “the dispensing of medication” and inserting in lieu thereof the phrase “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-four** dollars and [eighty-two] **fifty-seven** cents plus copying in the amount of [fifty-three] **fifty-six** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed [twenty-one dollars and thirty-six cents,] **twenty-three dollars** as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **seven dollars and sixty-seven cents** total, whichever is less, if such person:

a. Requests health records to be delivered electronically in a format of the health care provider’s choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient’s record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient’s record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be

increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

6. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, the deceased prior to death did not specifically object to disclosure of his or her records in writing, and such disclosure is not inconsistent with any prior expressed preference of the deceased that is known to the health care provider, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:

(1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;

(2) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;

(3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;

(4) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;

(5) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased; or

(6) A guardian ad litem of the deceased's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the deceased.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words “the dispensing of medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(2) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) “Health care”, a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) “Incapacitated”, a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks

capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) “Patient”, any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician’s designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient’s personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient’s health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the

following:

- (a) A current dissolution of marriage or separation action;**
- (b) A signed written property or marital settlement agreement;**
- (c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;**
- (2) An adult child of the patient;**
- (3) A parent of the patient;**
- (4) An adult sibling of the patient;**
- (5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;**
- (6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or**
- (7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.**

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient; or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or

impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is

contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 864, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis,

and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; **the prescribing and dispensing of self-administered oral hormonal contraceptives under section 338.660**; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule,

as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

(1) The identity of the patient;

(2) The identity of the vaccine or vaccines administered;

(3) The route of administration;

(4) The anatomic site of the administration;

(5) The dose administered; and

(6) The date of administration.”; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting after all of said section and line the following:

“338.660. 1. For purposes of this chapter, “self-administered oral hormonal contraceptive” shall mean a drug composed of a combination of hormones that is approved by the Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may take orally.

2. A pharmacist may prescribe and dispense self-administered oral hormonal contraceptives to a person who is:

(1) Eighteen years of age or older, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a self-administered oral hormonal contraceptive; or

(2) Under eighteen years of age, if the person has evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a self-administered oral hormonal contraceptive.

3. The board of pharmacy shall adopt rules, in consultation with the board of registration for the healing arts, board of nursing, and department of health and senior services, and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, to establish standard procedures for the prescribing of self-administered oral hormonal contraceptives by pharmacists. The board of pharmacy shall adopt rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

4. The rules adopted under this section shall require a pharmacist to:

(1) Complete a training program approved by the board of pharmacy that is related to prescribing self-administered oral hormonal contraceptives;

(2) Provide a self-screening risk assessment tool that the patient shall use prior to the pharmacist’s prescribing the self-administered oral hormonal contraceptive;

(3) Refer the patient to the patient’s primary care practitioner or women’s health care practitioner upon prescribing and dispensing the self-administered oral hormonal contraceptive;

(4) Provide the patient with a written record of the self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women’s health care practitioner; and

(5) Dispense the self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

5. The rules adopted under this section shall prohibit a pharmacist from:

(1) Requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a self-administered oral hormonal contraceptive; and

(2) Prescribing and dispensing a self-administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following the initial prescription and dispensation of a self-administered oral hormonal contraceptive by a pharmacist to the patient.

6. All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services shall apply to self-administered oral hormonal contraceptives prescribed by a pharmacist under this section.

376.1240. 1. For purposes of this section, the terms "health carrier" and "health benefit plan" shall have the same meaning as defined in section 376.1350. The term "prescription contraceptive" shall mean a drug or device that requires a prescription and is approved by the Food and Drug Administration to prevent pregnancy.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2017, and that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for a dispensation of a ninety-day supply of prescription contraceptives to an insured.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words "the dispensing of medication" and inserting in lieu thereof the words "health care"; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title

XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.

2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.

3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:

(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or

(2) The hospital has used other standards that provide for equivalent design criteria.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill, Page 2, Section 338.202, Line 13, by inserting immediately after all of said line the following:

“536.031. 1. There is established a publication to be known as the “Code of State Regulations”, which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.

2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general’s opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.

3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written

format upon request.

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 864, Page 1, In the Title, Lines 2-3, by deleting the words “the dispensing of medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section and line the following:

“99.848. **1.** Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

2. In counties of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 844**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SBs 688** and **854**, entitled:

An Act to repeal sections 208.952 and 208.985, RSMo, and to enact in lieu thereof one new section relating to the joint committee on public assistance.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 688 & 854, Page 1, Section 208.952, Line 8, by deleting the word “**and**”; and

Further amend said bill, page, and section, Line 11, by deleting all of said line and inserting in lieu thereof the following:

“among participants as may be appropriate; and

(4) Addressing the catastrophic percentage of households in Missouri experiencing food insecurity and hunger, which has more than doubled in the last decade. For children, food insecurity is a predictor of chronic illness, lower school performance, and developmental problems. For adults, food insecurity leads to income loss, missed work days, increased health costs, and high demand for public assistance benefits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 823**, entitled:

An Act to repeal sections 144.030 and 144.087, RSMo, and to enact in lieu thereof three new sections relating to sales tax.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, Pages 1-3, Section 144.026, Lines 1-55, by deleting all of said lines and inserting in lieu thereof the following:

“144.026. 1. This section affirms existing law as interpreted by the Missouri supreme court in *Bridge Data Co. v. Director of Revenue*, 794 S. W. 2d 204 (Mo. banc 1990); *Concord Publishing House v. Director of Revenue*, 916 S. W. 2d 186 (Mo. banc 1996); *DST Systems Inc. Co. v. Director of Revenue*, 43 S. W. 3d 799 (Mo. banc 2001); *Southwestern Bell Tel. Co. v. Director of Revenue*, 78 S.

W. 3d 763 (Mo. banc 2002); *Southwestern Bell Tel. Co. v. Director of Revenue*, 182 S. W. 3d 226 (Mo. banc 2005); and *E & B Granite, Inc. v. Director of Revenue*, 331 S. W. 3d 314 (Mo. banc 2011). The director of revenue and all courts of competent jurisdiction shall follow the reasoning of the Missouri supreme court in these decisions and shall apply such reasoning to all pending audits, assessments, refund claims, and claims for credit not finally adjudicated as of the effective date of this section as well as all future audits, assessments, refund claims, and claims for credit.

2. This section rejects and abrogates the Missouri supreme court's interpretation of the exemptions found in subsection 2 of section 144.054 and subdivisions (5) and (6) of subsection 2 of section 144.030 in *IBM Corporation v. Director of Revenue*, No. SC94999 (Mo. Apr. 5, 2016), and any other decision of the Missouri supreme court or administrative hearing commission, and any letter ruling or regulation of the director of revenue, that is inconsistent with this section. The exemptions found in subsection 2 of section 144.054 and subdivisions (5) and (6) of subsection 2 of section 144.030 shall apply to all taxpayers whose activities meet the requirements of these exemptions regardless of whether the taxpayer's type of business is expressly mentioned in chapter 144 or any other section, and regardless of whether the activity occurs at an industrial facility or a permanent, temporary, or mobile location."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, Page 1, in the Title, Line 3, by deleting the words "sales tax" and inserting in lieu thereof the words, "taxation"; and

Further amend said bill, page, Section A, Line 3, by inserting after all of said section and line the following:

"137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, **bed and breakfast inns in which the owner resides and uses as a primary residence with six or fewer rooms for rent**, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying

for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

(1) Immediate prior use, if any, of such property;

(2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 635**, as amended: Senators Hegeman, Brown, Wasson, Schupp and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 650**, as amended: Senators Pearce, Schaaf, Onder, Nasheed and Chappelle-Nadal.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 572**, as amended: Senators Schmitt, Schaefer, Dixon, Keaveny and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 867**, as amended: Senators Sater, Schmitt, Riddle, Keaveny and Curls.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 921**, as amended: Senators Riddle, Pearce, Munzlinger, Schupp and Curls.

President Pro Tem Richard appointed the following conference committee to act with a like

committee from the House on **HCS** for **SS** for **SCS** for **SBs 865** and **866**, as amended: Senators Sater, Cunningham, Parson, Sifton and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 765**, as amended: Senators Schmitt, Cunningham, Dixon, Keaveny and Walsh.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 2118, regarding Bob Mitchell, Paris, which was adopted.

Senator Riddle offered Senate Resolution No. 2119, regarding Judith L. “Judy” Baumgartner, Holts Summit, which was adopted.

Senator Schupp offered Senate Resolution No. 2120, regarding Millard Raymond “Ray” Miller, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 2121, regarding Jack Webster Thompson, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 2122, regarding Donald Lee “Don” Klein, Maryland Heights, which was adopted.

Senator Schupp offered Senate Resolution No. 2123, regarding Earl August Bair, Manchester, which was adopted.

Senator Kehoe offered Senate Resolution No. 2124, regarding former State Senator Allan G. “Al” Mueller, Jefferson City, which was adopted.

Senator Richard offered Senate Resolution No. 2125, regarding Harry M. Cornell, Jr., Joplin, which was adopted.

Senator Schupp offered Senate Resolution No. 2126, regarding Kenneth L. Schmidt, which was adopted.

Senator Schupp offered Senate Resolution No. 2127, regarding Paul John Kuhl, Bridgeton, which was adopted.

Senator Schmitt offered Senate Resolution No. 2128, regarding Mr. David Reck, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, Mike and Kelly Creswell, Dan and Kathy Meadows, Larry and Jennifer Crisp, and former State Representative Connie Cierpiot, Lee’s Summit.

Senator Brown introduced to the Senate, representatives from Mid-County Fire Protection District and Camdenton Fire Rescue, Camdenton.

Senator Schaaf introduced to the Senate, Dean and Zach Cull, Platte County.

Senator Pearce introduced to the Senate, Campbell Frevert, Ellie Miles, Olivia Haskamp, Katie Jo Schaefer, Kaden Carmack, Laken Carmack, Gabriel Mullanix, Jacob Grisham, Gabe Bonen, and Mr. and

Mrs. Kent Monnig, St. Mary's Catholic School, Glasgow.

Senator Schupp introduced to the Senate, Andrew Rehfeld, St. Louis.

Senator Sifton introduced to the Senate, Dr. Candy Young, Kirksville.

Senator Schupp introduced to the Senate, teacher Julie Bergin and fourth grade students from Reed Elementary School, Ladue.

Senator Schupp introduced to the Senate, Connor Chapman, Remington Traditional-Pattonville School District.

Senator Munzlinger introduced to the Senate, Cole, Deb and Steve Edwards, Salisbury; and Emily Harrison and Donna and Mike Wagstaff, Columbia, Illinois.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-THIRD DAY–WEDNESDAY, MAY 4, 2016

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HB 1565-Engler (Romine)
(In Fiscal Oversight)

4. HCS for HB 1696, with SCS (Riddle)
(In Fiscal Oversight)
5. HB 1892-Rehder (Schatz)
6. HB 2104-Alferman, with SCS (Schmitt)
7. HCS for HB 1675, with SCS (Munzlinger)
8. HCS for HB 2381 (Munzlinger)

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| 9. HB 1577-Higdon, with SCS (Riddle) | 22. HB 1588-Franklin, with SCS (Parson) |
| 10. HCS for HB 1433, with SCS (Sater) | 23. HCS for HB 1759, with SCS (Dixon) |
| 11. HCS for HB 1930 (Riddle) | 24. HCS for HB 1862, with SCS (Schaefer) |
| 12. HCS for HB 2202, with SCS (Dixon) | 25. HCS for HB 1432, with SCS (Wieland) |
| 13. HCS for HB 2376, with SCS (Wasson) | 26. HCS for HB 1463 (Kraus) |
| 14. HCS for HB 1713, with SCS (Emery) | (In Fiscal Oversight) |
| (In Fiscal Oversight) | 27. HCS for HB 2029 (Sater) |
| 15. HCS for HB 1898 (Emery) | 28. HB 1478-Entlicher, with SCS (Pearce) |
| 16. HCS for HB 2380, with SCS (Schatz) | 29. HB 2111-Eggleston (Sater) |
| (In Fiscal Oversight) | 30. HB 1443-Leara (Riddle) |
| 17. HCS for HB 1684 (Riddle) | 31. HCS for HB 2150 (Wieland) |
| 18. HCS for HB 1941, with SCS (Schaefer) | 32. HCS for HB 1464, with SCS (Brown) |
| (In Fiscal Oversight) | 33. HCS for HB 1474, with SCS (Kraus) |
| 19. HCS for HB 1776 (Romine) | 34. HCS for HB 2018, with SCS (Schaefer) |
| 20. HJR 58-Brown (57) (Romine) | 35. HCS for HB 2017, with SCS (Schaefer) |
| (In Fiscal Oversight) | 36. HB 1534-Flanigan, with SCS (Schaefer) |
| 21. HCS for HB 2038 (Munzlinger) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
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| SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending) | SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending) |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SBs 789 & 595-Wasson, with SCS |
| SB 596-Kraus, with SCS | SB 792-Richard |
| SB 622-Romine, with SCS | SB 793-Richard |
| SB 644-Onder, with SCS | SB 798-Kraus, with SCS |
| SBs 662 & 587-Dixon, with SCS | SB 802-Sater |
| SB 680-Emery | SB 805-Onder, with SCS |
| SB 686-Wallingford, with SCS | SB 806-Onder, with SCS |
| SB 706-Dixon | SB 812-Keaveny |
| SB 719-Emery, with SCS | SB 816-Wieland, et al |
| SB 733-Dixon | SB 825-Munzlinger, with SA 1 (pending) |
| SB 734-Dixon | SB 830-Wasson, with SCS |
| SB 771-Onder | SB 848-Emery, with SCS |
| SB 772-Onder, with SCS | SBs 851 & 694-Brown, with SCS |
| SB 774-Schmitt | SB 853-Brown |
| SB 775-Schaefer | |

SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 868-Wasson
 SB 871-Wallingford
 SB 883-Riddle
 SB 894-Munzlinger, with SS (pending)
 SB 896-Hegeman
 SB 898-Cunningham
 SB 908-Sater, with SCS
 SB 916-Schaefer
 SB 920-Schmitt and Kraus
 SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder
 SB 1005-Walsh

SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon
 SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS
 SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1452-Hoskins, with SCS (Pearce)
 HB 1472-Dugger (Dixon)
 HB 1479-Entlicher (Romine)
 HB 1530-Brown (57) (Munzlinger)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1582-Kelley, with SCS (Kraus)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1643-Hicks (Brown)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1717 with SS (pending)
 (Wallingford)
 HCS for HB 1729 (Munzlinger)
 HB 1745-Brattin, with SCS (Schatz)
 HCS for HBs 1780 & 1420 (Pearce)
 HB 1795-Haefner, with SCS (Sater)

HCS for HB 1804, with SCS, SS for SCS,
 SA 3 & SSA 1 for SA 3 (pending)
 (Emery)
 HCS for HB 1850 (Wasson)
 HCS for HB 1904, with SCS (Wallingford)
 HB 2166-Alferman, with SCS, SS#2 for SCS,
 SA 1 & SSA 1 for SA 1 (pending) (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HB 2226-Barnes (Silvey)
 HB 2230-Ross (Schatz)
 HCS for HBs 2234 & 1985 (Pearce)
 HB 2257-Jones, with SCS (Wieland)
 HCS for HB 2332, with SCS (Dixon)
 HCS for HB 2397 (Romine)
 HB 2429-Dohrman, with SCS (Parson)
 HB 2590-Plocher, with SCS (Keaveny)
 HCS for HB 2689, with SS, SA 1, SSA 1
 for SA 1 & SA 1 to SSA 1 for SA 1
 (pending) (Silvey)

SS for HJR 53-Dugger (Kraus)
(In Fiscal Oversight)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 1681-Haahr (Dixon)	HB 1473-Dugger, with SCS (Wasson)
HB 2428-Swan (Pearce)	HCS for HB 1480 (Hegeman)
HB 2195-Hoskins (Pearce)	HB 1388-Roeber (Dixon)
HB 1539-Vescovo (Wieland)	HB 1593-Crawford (Hegeman)
HB 1538-Vescovo (Wieland)	HB 2591, HB 1958 & HB 2369-Richardson, with SCS (Libla)
HB 1559-McCann Beatty (Curls)	HB 2335-Houghton, with SCS (Riddle)
HB 2183-Roeber (Curls)	HB 1851-Alferman, with SCS (Schatz)
HCS for HB 2453, with SCS (Schaaf)	
HB 2480-Justus (Sater)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 657-Munzlinger, with HCS, as amended	SB 864-Sater, with HCS, as amended
SB 665-Parson, with HCS, as amended	SB 988-Kraus, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5
SCS for SBs 688 & 854-Romine, with HCS, as amended	SB 994-Munzlinger, with HCS, as amended
SCS for SB 814-Wallingford, et al, with HCS	
SCS for SB 823-Kraus, with HCS, as amended	

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS, as amended	SB 635-Hegeman, with HCS, as amended
SB 607-Sater, with HCS, as amended	SB 639-Riddle, with HCS, as amended
SS for SB 608-Sater, with HCS, as amended	SCS for SB 650-Pearce, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 8, as amended, & HA 9
SS for SB 621-Romine, with HCS, as amended	SB 677-Sater, with HCS, as amended

SB 700-Schatz, with HA 1, as amended &
HA 2
SS for SB 732-Munzlinger, with HCS, as
amended
SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended

SS for SCS for SBs 865 & 866-Sater, with
HCS, as amended
SB 867-Sater, with HCS, as amended
SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 &
HA 6, as amended

Requests to Recede or Grant Conference

SCS for SB 578-Keaveny, with HCS, as
amended (Senate requests House
recede or grant conference)
HCS for HB 1584, with SCS, as amended
(Schmitt) (House requests Senate
recede or grant conference)

HB 1870-Hoskins, with SAs 1, 3, 4 & 5
(Pearce) (House requests Senate
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger

SCR 68-Schupp
SR 2062-Pearce
HCS for HCR 57 (Schaefer)
HCR 61-Engler
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

To be Referred

HCR 66-Hubrecht

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-THIRD DAY—WEDNESDAY, MAY 4, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Draw nigh to God, and he will draw nigh to you.” (James 4:8)

Lord God, we thank You for we can call upon You and You hear our cry. We thank You for You have promised to be with us as we are required to make difficult decisions and realize that such decisions often result in winners and losers. So we call upon You to guide us so our decisions are helpful bringing about the greater good. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Onder announced photographers from The Missouri Times, Missouri.net and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 2129, regarding Wilbert Arthur “Wib” Casten, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 2130, regarding Norman John Raaf, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 2131, regarding Robert J. “Bob” Ackerman, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 2132, regarding Roland Edward Fuhr, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2133, regarding William Casey “Bill” Lenox, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2134, regarding Larry Kambert, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 2135, regarding Charles Edward “Charlie” Penn, Chesterfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 2136, regarding Dr. Frank D. Fontana, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2137, regarding Alan Edwin “Al” Schaeffer, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2138, regarding Charles Peter “Chuck” Wolf, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2139, regarding James William “Jim” Bryant, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2140, regarding Raymond Bernard “Ray” Dierkes, Saint Louis, which was adopted.

Senator Wieland offered Senate Resolution No. 2141, regarding Joshua Stockton, which was adopted.

REFERRALS

President Pro Tem Richard referred **HCR 66** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON THIRD READING

Senator Silvey moved that **HCS** for **HB 2689**, with **SS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage.

SA 1 to **SSA 1** for **SA 1** was again taken up.

At the request of Senator Silvey, the above amendment was withdrawn.

Senator Pearce assumed the Chair.

SSA 1 for **SA 1** was again taken up.

At the request of Senator Silvey, **HCS** for **HB 2689**, with **SS**, **SA 1** and **SSA 1** for **SA 1** (pending) was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 662** and **SB 587**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 662** and **587**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 662 and 587

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

Was taken up.

Senator Dixon moved that **SCS** for **SBs 662** and **587** be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

At the request of Senator Dixon, **SCS** for **SBs 662** and **587**, was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

May 4, 2016

TO THE SECRETARY OF THE SENATE
98TH GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bills Nos. 586 & 651, entitled:

AN ACT

To repeal sections 163.011 and 163.018, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education, with an emergency clause.

I disapprove of Senate Committee Substitute for Senate Bills Nos. 586 & 651. My reasons for disapproval are as follows:

Senate Bills Nos. 586 & 651 would dramatically reduce the amount of funding called for under Missouri's public school foundation formula. This would be accomplished by re-imposition of a 5% cap on increases in current operating expenses when calculating the state adequacy target for per student state funding. This cheapening of the foundation formula would result in a broken promise to our local schools and the students they educate and cannot receive my approval.

Senate Bills Nos. 586 & 651's primary purpose is to reduce the amount of state funding the legislature had previously concluded was necessary to provide an equitable, high-quality education to Missouri's students. Under existing Missouri law, fully funding the formula would require approximately \$3.764 billion. Senate Bills Nos. 586 & 651 would slash this goal by more than \$400 million. With Senate Bills Nos. 586 & 651, the legislature would be turning its back on a funding formula it has long embraced, reneging on its existing fiscal obligation to our local schools and shifting more of the financial burden to educate our students to local taxpayers.

In Missouri, support for local public schools is a fundamental value. And reflecting this value, the state has persevered during my years as Governor to provide greater educational opportunities for our children during both good and bad economic times. However, Senate Bills Nos. 586 & 651 would abandon this value at precisely the time the state has been raising its standards for student learning, using more rigorous metrics to measure annual school performance and increasing expectations for teacher training.

By giving future governors and legislators a passing grade for a lower score, Senate Bills Nos. 586 & 651 would provide cover for legislators to turn their backs on our local schools by passing even more reckless tax breaks that will further erode state funding for education and require local taxpayers to shoulder more of the financial burden to provide our children a quality education. After already diverting state revenues from education to special interests, legislators are now trying to mask the results of their misguided actions by lowering the bar for state funding for public schools.

Rather than placing a priority on public education, Senate Bills Nos. 586 & 651 would instead decrease the benchmark for state funding and shortchange Missouri's students. And while the funding obligation contained in this legislation might be easier to meet, the General Assembly has already failed an initial test, missed this new, lower target and, in so doing, revealed its lack of sincere commitment to our public schools. The fiscal year 2017 budget recently passed by the General Assembly does not fully fund the lowered financial obligation to our schools contained in Senate Bills Nos. 586 & 651 and, in fact, fails to meet the funding level recommended in the budget I submitted in January.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill Nos. 586 & 651 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 905 & 992**.

Bill ordered enrolled.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 915**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 1009**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2566**, entitled:

An Act to repeal section 161.216, RSMo, and to enact in lieu thereof one new section relating to the early learning quality assurance report pilot program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 1713**, with **SCS**; **HCS** for **HB 1696**, with **SCS**; **HB 1565**; **HCS** for **HB 2380**, with **SCS**; and **HJR 58**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1583**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 2379**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1912**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1816**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1718**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 2496**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 2402**, begs leave to report that it has considered the same and recommends that the Senate Committee

Substitute, hereto attached, do pass.

Senator Schmitt assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1565 was placed on the Informal Calendar.

At the request of Senator Riddle, **HCS** for **HB 1696**, with **SCS**, was placed on the Informal Calendar.

HB 1892 was placed on the Informal Calendar.

HB 2104, with **SCS** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1675**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 2381** was placed on the Informal Calendar.

At the request of Senator Riddle, **HB 1577**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 1433**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Riddle, **HCS** for **HB 1930** was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 2202**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 2376**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **HCS** for **HB 1713**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **HCS** for **HB 1898** was placed on the Informal Calendar.

HCS for **HB 2380**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Riddle, **HCS** for **HB 1684** was placed on the Informal Calendar.

HCS for **HB 1776** was placed on the Informal Calendar.

HJR 58 was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 2038** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 1588**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 1759**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1862**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wieland, **HCS** for **HB 1432**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 2029** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1478**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HB 2111** was placed on the Informal Calendar.

At the request of Senator Riddle, **HB 1443** was placed on the Informal Calendar.

At the request of Senator Wieland, **HCS** for **HB 2150** was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1464**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 1474**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 2018**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 2017**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HB 1534**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 2017**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2017**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2017

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2016 and ending June 30, 2017.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2017** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 2017** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schmitt—1

Absent—Senator Schatz—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2018, with SCS, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2016 and ending June 30, 2017.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2018, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2018

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2016 and ending June 30, 2017.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2018** be adopted.

Senator Schaefer offered **SS for SCS for HCS for HB 2018, entitled:**

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2018

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2016 and ending June 30, 2017.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2018** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2018** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schmitt—1

Absent—Senator Schatz—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

VETOED BILLS

Senator Wasson moved that **SCS** for **SBs 586** and **651** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 1480**, entitled:

An Act to repeal sections 115.257, 115.291, 115.293, and 115.299, RSMo, and to enact in lieu thereof four new sections relating to absentee ballots, with a delayed effective date.

Was called from the Consent Calendar and taken up by Senator Hegeman.

Senator Riddle assumed the Chair.

On motion of Senator Hegeman, **HCS for HB 1480** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2428, introduced by Representative Swan, entitled:

An Act to repeal sections 167.265, 168.303, 168.500, 168.520, and 192.915, RSMo, and to enact in lieu thereof five new sections relating to school counselors.

Was called from the Consent Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 2428** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1681, introduced by Representative Haahr, entitled:

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to the regulation of proprietary schools.

Was called from the Consent Calendar and taken up by Senator Dixon.

On motion of Senator Dixon, **HB 1681** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1559, introduced by Representative McCann Beatty, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Lucile Bluford Day.

Was called from the Consent Calendar and taken up by Senator Curls.

On motion of Senator Curls, **HB 1559** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1432**, with **SCS**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave for state employees.

Was taken up by Senator Wieland.

SCS for **HCS** for **HB 1432**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1432

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave.

Was called from the Informal Calendar and taken up.

Senator Wieland moved that **SCS** for **HCS** for **HB 1432** be adopted.

Senator Dixon assumed the Chair.

Senator Wieland offered **SS** for **SCS** for **HCS** for **HB 1432**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1432

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave.

Senator Wieland moved that **SS** for **SCS** for **HCS** for **HB 1432** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 1432, Page 3, Section 105.264, Lines 7-8, by striking the following: “:

(1)”; and further amend lines 11-18 by striking all of said lines and inserting in lieu thereof the following: “**for hearings.**”

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Wieland, **HCS** for **HB 1432**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HB 1443, introduced by Representative Leara, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees’ retirement system.

Was called from the Informal Calendar and taken up by Senator Riddle.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1443, Page 1, In the Title, Lines 2-3, by striking the following: “the Missouri local government employees’ retirement system” and inserting in lieu thereof the following: “public retirement plans”; and

Further amend said bill, page 2, section 70.621, line 24, by inserting after all of said line the following:

“169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member’s final average salary:

(1) Two and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years. In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Two and four-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Two and thirty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Two and three-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Two and twenty-five-hundredths percent of the member’s final average salary for each year of

membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2014,] Two and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the

retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under

option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the

allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976,

and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees

may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be

received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

Section B. Because of the importance of providing an additional retirement allowance option to Missouri teachers, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Riddle, **HB 1443**, with **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SB 625**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto five new sections relating to the designation of highways.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 625, Page 2, Section 227.432, Line 5, by inserting immediately after all of said line the following:

“227.443. The portion of Interstate 49 from its intersection with State Highway 86 continuing north to Iris Road in Newton County shall be designated the “Special Agent Tom Crowell Memorial Highway”. Costs for such designation shall be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1605**, entitled:

An Act to amend chapters 135 and 143, RSMo, by adding thereto four new sections relating to tax incentives and tax credits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for House Committee Substitute for House Bill No. 1891, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call pertaining to Senate Substitute for House Committee Substitute for House Bill No. 1891.

AYES: 109

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Haahr	Haefner
Hansen	Hicks	Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus	Kelley	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger

Love	Lynch	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Plocher	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker	White
Wiemann	Wilson	Wood	Mr. Speaker			

NOES: 47

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	English	Gannon	Gardner	Green	Harris
Higdon	Hubbard	Kendrick	Kidd	King	Kirkton	Kratky
LaFaver	Lavender	Marshall	May	McCann Beatty	McGee	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson	Rizzo	Rowland 29
Runions	Ruth	Walton Gray	Webber	Zerr		

Absent—Representatives

Black	Ellington	Hummel	McCreery	McDonald	Smith—6
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 703**, entitled:

An Act to repeal sections 142.028, 142.029, 143.121, 144.010, 262.900, 262.960, 262.962, 265.300, 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, 266.347, 267.565, 276.606, 277.020, 348.407, and 414.082, RSMo, and to enact in lieu thereof thirty-two new sections relating to agriculture.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 41, Section 620.1954, Line 11, by deleting the number “**2018**” and inserting in lieu thereof the number “**2020**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 9, Section 143.121, Line 85, by deleting the number “**2015**” and inserting in lieu thereof the number “**2014**”; and

Further amend said bill, Pages 14-15, Section 261.130, Lines 1-59, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 24, Section 266.301, Lines 1-5, by deleting all of said section and lines from the bill;

Further amend said bill and page, Section 266.311, Lines 1-8, by deleting all of said section and lines from the bill;

Further amend said bill, Pages 24-25, Section 266.331, Lines 1-25, by deleting all of said section and lines from the bill;

Further amend said bill, Pages 25-28, Section 266.336, Lines 1-117, by deleting all of said section and lines from the bill;

Further amend said bill, Pages 28-29, Section 266.343, Lines 1-28, by deleting all of said section and lines from the bill;

Further amend said bill, Page 29, Section 266.347, Lines 1-21, by deleting all of said section and lines from the bill;

Further amend said bill, Page 30, Section 266.600, Lines 1-5 by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 30-31, Section 267.169, Lines 1-33, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 45-46, Section 266.341, Lines 1-52, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 37, Section 620.1951, Line 26, by deleting all of said line and inserting in lieu thereof the following:

"(8) "Operating company", any company except for a"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 34, Section 277.020, Line 17, by inserting after all of said section and line the following:

“301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) “Automobile transporter”, any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) “Axle load”, the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) “Boat transporter”, any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) “Body shop”, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) “Bus”, a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) “Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) “Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) “Director” or “director of revenue”, the director of the department of revenue;

(11) “Driveaway operation”:

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person’s own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) “Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) “Farm tractor”, a tractor used exclusively for agricultural purposes;

(14) “Fleet”, any group of ten or more motor vehicles owned by the same owner;

(15) “Fleet vehicle”, a motor vehicle which is included as part of a fleet;

(16) “Fullmount”, a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the result of the impact of hail;

(19) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) “Improved highway”, a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) “Intersecting highway”, any highway which joins another, whether or not it crosses the same;

(22) “Junk vehicle”, a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

(23) “Kit vehicle”, a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer’s statement of origin;

(24) “Land improvement contractors’ commercial motor vehicle”, any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers’ maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) “Local commercial motor vehicle”, a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person’s control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) “Local log truck”, a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated [solely] at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code **or outside the one-hundred-mile radius from such site with an extended distance local log truck permit**, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) “Local log truck tractor”, a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated [solely] at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code **or outside the one-hundred-mile radius from such site with an extended distance local log truck permit**, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) “Local transit bus”, a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) “Log truck”, a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) “Manufacturer”, any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(33) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(34) “Motor vehicle primarily for business use”, any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(35) “Motorcycle”, a motor vehicle operated on two wheels;

(36) “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(37) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(38) “Municipality”, any city, town or village, whether incorporated or not;

(39) “Nonresident”, a resident of a state or country other than the state of Missouri;

(40) “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(41) “Operator”, any person who operates or drives a motor vehicle;

(42) “Owner”, any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(43) “Public garage”, a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(44) “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(45) “Reconstructed motor vehicle”, a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(46) “Recreational motor vehicle”, any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(47) “Recreational off-highway vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

(48) “Rollback or car carrier”, any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(49) “Saddlemount combination”, a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The “saddle” is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a “double saddlemount combination”. When three vehicles are towed in this manner, the combination is called a “triple saddlemount combination”;

(50) “Salvage dealer and dismantler”, a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(51) “Salvage vehicle”, a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer’s model year

designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(52) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(53) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) “Tandem axle”, a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) “Trailer”, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term “trailer” shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) “Truck”, a motor vehicle designed, used, or maintained for the transportation of property;

(62) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) “Truck-trailer boat transporter combination”, a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) “Used parts dealer”, a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. “Business” does not include isolated sales at a swap meet of less than three days;

(65) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) “Vanpool”, any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped

persons;

(68) “Wrecker” or “tow truck”, any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) “Wrecker or towing service”, the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.062. 1. The annual registration fee for a local log truck, registered pursuant to this chapter, is three hundred dollars.

2. A local log truck may receive an extended distance local log truck permit for an additional fee of two hundred dollars. A local log truck with an extended distance local log truck permit shall be allowed to transport harvested or processed forest products outside of the one-hundred-mile radius from the forested site at the weight limits for commercial vehicles specified in 304.180.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 15, Section 261.130, Line 59, by inserting after all of said section and line the following:

“261.380. 1. The department of agriculture may establish a biomass energy development program designed to identify feasible technology to convert processed solid biomass engineered fiber fuel, as defined in section 393.1055, to energy that may be reasonably implemented in Missouri and provide additional value to Missouri agricultural production.

2. An electric utility, as defined in section 393.1055, may submit a proposal to the department of agriculture for a biomass energy development pilot project. The department may establish by rule specifications and requirements for biomass energy development pilot projects. The department may authorize a biomass energy pilot project by notifying the public service commission and the electric utility.

3. The department of agriculture shall prepare a report annually evaluating biomass energy development pilot projects that have been authorized under this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void. “; and

Further amend said bill, Page 35, Section 348.407, Line 63, by inserting after all of said section and line the following:

“393.1055. 1. As used in this section, the following terms shall mean:

(1) “Electric utility”, any electrical corporation as defined in section 386.020;

(2) “Processed solid biomass engineered fiber fuel”, any fuel derived from raw biomass feedstock produced from local based products that are changed from their original form and combined in a manufacturing process that can accommodate two or more independent raw biomass feedstocks and resulting in a solid fuel product with a heat value of at least eight thousand five hundred British Thermal Units per pound on a dry matter basis. Processed solid biomass engineered fiber fuel shall not include any solid biomass fuel that is produced solely from a densification of a single raw biomass feedstock.

2. No electric utility shall recover costs under this section until the department of agriculture has notified the public service commission of a specific biomass energy development pilot project under section 261.380.

3. Any electric utility that incurs costs to modify such electric utility’s owned fossil-fired generating plant to accommodate the test burn of a processed solid biomass engineered fiber fuel may be allowed to timely recover such modification costs in rates.

4. Any electric utility that elects to test burn a processed solid biomass engineered fiber fuel in such electric utility’s owned fossil-fired generating plant may be allowed to timely recover the cost of the processed solid biomass engineered fiber fuel in rates. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 15, Section 261.130, Line 59, by inserting after all of said section and line the following:

“262.823. The purpose of the board shall be to further the growth and development of the grape growing industry in the state of Missouri. The board shall have a correlate purpose of fostering the expansion of the grape market for Missouri grapes. To effectuate these goals, the board may:

(1) Participate in cooperation with state, regional, national, or international activities, groups, and organizations whose objectives are that of developing new and better grape varieties to determine their suitability for growing in Missouri;

(2) Participate in and develop research projects on improved wine-making methods utilizing the new grape varieties to be grown in Missouri;

(3) Utilize the individual and collective expertise of the board members as well as experts in the fields of enology and viticulture selected by the board, to update and improve the quality of grapes grown in Missouri and advanced methods of producing wines from these Missouri grapes;

(4) Furnish current information and associated data on research conducted by and for the board to grape growers and vintners in Missouri as well as to interested persons considering entering these fields within the state; and

(5) Participate in subsequent studies, programs, research, and information and data dissemination in the areas of sales, promotions, and effective distribution of Missouri wines, **and to oversee and provide any professional or legal services to promote such marketing goals .”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 703, Page 14, Section 144.010, Line 125, by inserting after all of said section and line the following:

“208.285. 1. The department of health and senior services shall apply for a grant under the United States Department of Agriculture Senior Farmers’ Market Nutrition Program to provide low-income seniors with vouchers that may be exchanged for eligible foods at farmers’ markets, roadside stands, and community-supported agriculture (CSA) programs.

2. There is hereby established the “Missouri Senior Farmers’ Market Nutrition Program” within the department of health and senior services. Upon receipt of any grant moneys under subsection 1 of this section, the program shall supply Missouri-grown fresh produce to senior participants through the distribution of vouchers that are redeemable only at designated Missouri farmers’ markets, roadside stands, and CSA programs. The program is designed to provide a supplemental source of fresh produce for the dietary needs of low-income seniors; to stimulate an increased demand for Missouri-grown produce at farmers’ markets, roadside stands, and CSA programs; and to develop new and additional farmers’ markets, roadside stands, and CSA programs.

3. Eligible seniors shall receive senior farmers’ market nutrition program vouchers from designated distribution sites in their county of residence. Upon issuance of vouchers, participants shall be provided with a list of participating farmers, farmers’ markets, roadside stands, and CSA programs. The department shall provide distribution site information at all county area agencies on aging.

4. For purposes of this section, “senior participant” means a person who is at least sixty years of age or older by December thirty-first of the program year and who meets the income eligibility criteria based on guidelines published annually by the United States Department of Agriculture.

5. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 852**.

With House Amendment Nos. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 852, Page 1, In the Title, Lines 2 and 3, by deleting the words “the Trooper Gary Snodgrass Memorial Bridge” and inserting in lieu thereof the word “transportation “; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“227.432. The portion of Interstate 470 at the interchange with Woods Chapel Road continuing to Lakewood Boulevard in Jackson County shall be designated as the “Judge Vincent E. Baker Memorial Highway “. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations. “; and

Further amend said bill and page, Section 227.435, Line 5, by inserting after all of said section and line the following:

“227.446. The portion of U.S. Highway 50 from County Line Road continuing west to Mockingbird Road in Moniteau County shall be designated as the “Phyllis D. Shelley Memorial Highway “. The department of transportation shall erect and maintain appropriate signs designating such highway, with costs to be paid for by private donation.

311.328. 1. A valid and unexpired operator’s or chauffeur’s license issued under the provisions of section 302.177, or a valid and unexpired operator’s or chauffeur’s license issued under the laws of any state or territory of the United States to residents of those states or territories, or a valid and unexpired identification card **or nondriver’s license** as provided for under section 302.181, **or a valid and unexpired nondriver’s license issued under the laws of any state or territory of the United States to residents of those states or territories**, or a valid and unexpired identification card issued by any uniformed service of the United States, or a valid and unexpired passport shall be presented by the holder thereof upon request of any agent of the division of alcohol and tobacco control or any licensee or the servant, agent or employee thereof for the purpose of aiding the licensee or the servant, agent or employee to determine whether or not the person is at least twenty-one years of age when such person desires to purchase or consume alcoholic beverages procured from a licensee. Upon such presentation the licensee or the servant, agent or employee thereof shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.

2. Upon proof by the licensee of full compliance with the provisions of this section, no penalty shall be imposed if the supervisor of the division of alcohol and tobacco control or the courts are satisfied that the licensee acted in good faith.

3. Any person who shall, without authorization from the department of revenue, reproduce, alter, modify, or misrepresent any chauffeur’s license, motor vehicle operator’s license or identification card shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand dollars, and confinement for not more than one year, or by both such fine and imprisonment. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to Senate Bill No. 852, Page 1, Line 14, by deleting all of said line and

inserting in lieu thereof the following:

“such designation to be paid for by private donation.

227.522. The portion of Interstate 49 from the city of Pineville in McDonald County north to the intersection of Interstate 435 in Jackson County, except for those portions of Interstate 49 previously designated as of August 28, 2016, shall be designated the “Purple Heart Trail “. Costs for such designation shall be paid by private donations. “; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 852, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “designation of roadways. “; and

Further amend said bill and page, Section 227.435, Line 5, by inserting immediately after all of said line the following:

“227.443. The portion of Interstate 49 from its intersection with State Highway 86 continuing north to Iris Road in Newton County shall be designated the “Special Agent Tom Crowell Memorial Highway “. Costs for such designation shall be paid for by private donations.

227.445. The portion of State Highway 32 from Stockton Dam Road continuing west to State Highway 39/County Road 1401 within the city limits of Stockton in Cedar County shall be designated as the “Deputy Sheriff Matthew S. Chism Memorial Highway “. The department of transportation shall erect and maintain appropriate signs designating such highway, with costs for such designation to be paid for by private donation. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 852, Page 1, In the title, Lines 2 and 3, by deleting the phrase “the Trooper Gary Snodgrass Memorial Bridge “ and inserting in lieu thereof the phrase “memorial highways “; and

Further amend said bill, Page 1, Section 227.435, Line 5, by inserting after all of said section and line the following:

“227.531. The portion of Interstate 270 from the city of Hazelwood in St. Louis County east to the intersection of Florissant Road in Florissant in St. Louis County, except for those portions previously designated as of August 28, 2016, shall be designated the “Rosemary Straub Davison Highway “. Costs for such designation shall be paid for by private donations. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HB 1530, introduced by Representative Brown (57), entitled:

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with penalty provisions.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HB 1530** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 4, 2016

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you for your advice and consent:

Lisa Bedian Kurtz, Democrat, 3323 Town and Country Lane, Saint Charles, Saint Charles County, Missouri 63301, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2016, and until her successor is duly appointed and qualified; vice, Thomas Heinsz, term expired.

Stephen Douglas Bonney, 5542 Crestwood Drive, Kansas City, Jackson County, Missouri 64110, as a member of the Board of Geologist Registration, for a term ending April 11, 2018, and until his successor is duly appointed and qualified; vice, Stephen Douglas Bonney, withdrawn.

Jacque A. Cowherd, Independent, 3402 Tanglewood Way, Fulton, Callaway County, Missouri 65251, as a member of the Health and Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2017, and until his successor is duly appointed and qualified; vice, Jacque A. Cowherd, withdrawn.

Gene Patrick Graham III, 116 South College Ave, Apartment 1, Columbia, Boone County, Missouri 65201, as the student representative of the University of Missouri Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Tracy Mulderig, term expired.

Larry D. Hale, Democrat, 1444 Eagle Ridge Road, Glencoe, Saint Louis County, Missouri 63038, as a member of the Missouri Gaming Commission, for a term ending April 29, 2019, and until his successor is duly appointed and qualified; vice, Larry D. Hale, term expires April 29, 2016.

John A. Martin, Democrat, 200 West 115th Terrace, Kansas City, Jackson County, Missouri 64114, as a member of the State Board

of Education, for a term ending July 1, 2022, and until his successor is duly appointed and qualified; vice, John A. Martin, reappointed.

John W. Sisco III, Republican, 4804 Marchwood Drive, Saint Louis, Saint Louis County, Missouri 63128, as a member of the Coordinating Board for Higher Education, for a term ending June, 27, 2018, and until his successor is duly appointed and qualified; vice, Doris J. Carter, term expired.

Richard Sullivan Jr., 1066 Ballantrae Drive, Frontenac, Saint Louis County, Missouri 63131, as Chief Executive Officer of the Transitional School District of Saint Louis City, for a term ending April 12, 2019, and until his successor is duly appointed and qualified, or the transitional district is dissolved or terminated; vice, Richard "Rick" Sullivan, Jr., reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Richard moved that the above appointments and reappointments be returned to the Governor per his request, which motion prevailed.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 2142, regarding Madison LeGrand, Friedheim, which was adopted.

Senator Keaveny offered Senate Resolution No. 2143, regarding Edgar Wallace Rousan, Sr., Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 2144, regarding Clarence Justin Tunnicliff, Saint Louis, which was adopted.

Senator Romine offered Senate Resolution No. 2145, regarding David Hinkle, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 2146, regarding Kimball Ray Crum, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 2147, regarding Kim Flowers, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 2148, regarding Denise McFarland, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 2149, regarding Mary Ellen Ladd, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2150, regarding Michael E. Weiler, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 2151, regarding Mark A. McFarland, Parks Hills, which was adopted.

Senator Onder offered Senate Resolution No. 2152, regarding Yushin Lee, O'Fallon, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, his wife Kathy; granddaughters Danette and Maya Sherrell and Kennedy Brown; grandsons Rio Sherrell and Brody Brown; and Megan and Adie Zika, Rolla.

Senator Romine introduced to the Senate, Lyndal Jenkins; Mary Beth Middleton; and Maria Hickmon, Kallie Middleton, Landon Ruble, Sam Ivy, Hannah Kenyon, Rachel Chitwood, Alpine Brooks, Cassie

Lange, LaRon Cornell and Kaden Brown, South Iron R-1 School District, Annapolis.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. William R. Reynolds, and his daughter Emma, Nixa.

Senator Nasheed introduced to the Senate, Bill Fronczak, Grace Boykin, Keisha Louis, Becky Carlos Sara Paracha, Brianna Bailon, Ashley Burgess, Chaniya Cousins, Daysha Hill, Kenise Hoard, Kameryn Hubbard, Mario Hubbard, Shannon Koch, Haley Koch, Joseph Moll, Antonia Robinson, Kearstyn Richardson, Jeramy Shaw, Patrick Sanders and Deja Strong, Mathews-Dickey Boys' and Girls' Club of St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FOURTH DAY--THURSDAY, MAY 5, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566

HCS for HB 1605

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)

SS for SCS for SB 788-Schatz

SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown

SB 1076-Parson, with SCS

SB 795-Wallingford, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 1855-Allen (Schaaf) (In Fiscal Oversight) | 5. HCS for HB 1583, with SCS (Schmitt) |
| 2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight) | 6. HCS for HB 2379, with SCS |
| 3. HCS for HB 1941, with SCS (Schaefer)
(In Fiscal Oversight) | 7. HCS for HB 1912, with SCS (Schatz) |
| 4. HCS for HB 1463 (Kraus)
(In Fiscal Oversight) | 8. HB 1816-Koenig, with SCS (Wasson) |
| | 9. HCS for HB 1718 (Romine) |
| | 10. HCS for HB 2496 |
| | 11. HCS for HB 2402, with SCS (Pearce) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending) | SB 793-Richard |
| SB 580-Schaaf, with SCS & SA 2 (pending) | SB 798-Kraus, with SCS |
| SB 596-Kraus, with SCS | SB 802-Sater |
| SB 622-Romine, with SCS | SB 805-Onder, with SCS |
| SB 644-Onder, with SCS | SB 806-Onder, with SCS |
| SCS for SBs 662 & 587-Dixon | SB 812-Keaveny |
| SB 680-Emery | SB 816-Wieland, et al |
| SB 686-Wallingford, with SCS | SB 825-Munzlinger, with SA 1 (pending) |
| SB 706-Dixon | SB 830-Wasson, with SCS |
| SB 719-Emery, with SCS | SB 848-Emery, with SCS |
| SB 733-Dixon | SBs 851 & 694-Brown, with SCS |
| SB 734-Dixon | SB 853-Brown |
| SB 771-Onder | SB 858-Romine, with SCS & SS for SCS
(pending) |
| SB 772-Onder, with SCS | SB 868-Wasson |
| SB 774-Schmitt | SB 871-Wallingford |
| SB 775-Schaefer | SB 883-Riddle |
| SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending) | SB 894-Munzlinger, with SS (pending) |
| SBs 789 & 595-Wasson, with SCS | SB 896-Hegeman |
| SB 792-Richard | SB 898-Cunningham |
| | SB 908-Sater, with SCS |
| | SB 916-Schaefer |

SB 920-Schmitt and Kraus
SB 951-Wasson, with SA 1 (pending)
SB 964-Wallingford, with SCS (pending)
SB 966-Schaaf
SB 972-Silvey
SB 980-Keaveny, with SCS, SS for SCS,
SA 1 & SA 3 to SA 1 (pending)
SB 995-Riddle
SB 1003-Onder
SB 1004-Onder
SB 1005-Walsh
SBs 1010, 958 & 878-Curls, with SCS
SB 1012-Dixon
SB 1014-Dixon
SB 1026-Schatz, with SCS

SB 1028-Silvey, et al, with SCS
SB 1033-Pearce
SB 1066-Curls
SB 1074-Schmitt, with SCS
SB 1075-Wallingford
SB 1085-Pearce
SB 1091-Riddle
SB 1094-Kehoe, with SCS
SB 1096-Dixon and Keaveny, with SS (pending)
SB 1117-Wasson, with SCS
SB 1120-Hegeman, et al
SB 1131-Sifton
SB 1144-Brown
SJR 23-Sater, with SS (pending)
SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1432, with SCS, SS for SCS &
SA 1 (pending) (Wieland)
HCS for HB 1433, with SCS (Sater)
HCS for HBs 1434 & 1600, with SCS (Walsh)
HB 1435-Koenig (Kraus)
HB 1443-Leara, with SA 1 (pending)
(Riddle)
HB 1452-Hoskins, with SCS (Pearce)
HCS for HB 1464, with SCS (Brown)
HB 1472-Dugger (Dixon)
HCS for HB 1474, with SCS (Kraus)
HB 1478-Entlicher, with SCS (Pearce)
HB 1479-Entlicher (Romine)
HB 1534-Flanigan, with SCS (Schaefer)
HB 1565-Engler (Romine)
HB 1575-Rowden, with SCA 1 (Onder)
HB 1577-Higdon, with SCS (Riddle)
HB 1582-Kelley, with SCS (Kraus)
HB 1588-Franklin, with SCS (Parson)
HCS for HB 1599, with SCS (Sater)
HB 1619-McCaherty (Dixon)
HB 1643-Hicks (Brown)

HCS for HB 1649, with SCS (Parson)
HCS for HB 1658 (Onder)
HCS for HB 1675, with SCS (Munzlinger)
HB 1678-Solon, with SCS (Pearce)
HCS for HB 1684 (Riddle)
HCS for HB 1696, with SCS (Riddle)
HCS for HB 1713, with SCS (Emery)
HCS for HB 1717 with SS (pending)
(Wallingford)
HCS for HB 1729 (Munzlinger)
HB 1745-Brattin, with SCS (Schatz)
HCS for HB 1759, with SCS (Dixon)
HCS for HB 1776 (Romine)
HCS for HBs 1780 & 1420 (Pearce)
HB 1795-Haefner, with SCS (Sater)
HCS for HB 1804, with SCS, SS for SCS,
SA 3 & SSA 1 for SA 3 (pending) (Emery)
HCS for HB 1850 (Wasson)
HCS for HB 1862, with SCS (Schaefer)
HB 1892-Rehder (Schatz)
HCS for HB 1898 (Emery)
HCS for HB 1904, with SCS (Wallingford)

HCS for HB 1930 (Riddle)
 HCS for HB 2029 (Sater)
 HCS for HB 2038 (Munzlinger)
 HB 2104-Alferman, with SCS (Schmitt)
 HB 2111-Eggleston (Sater)
 HCS for HB 2150 (Wieland)
 HB 2166-Alferman, with SCS, SS#2 for SCS,
 SA 1 & SSA 1 for SA 1 (pending) (Onder)
 HCS for HB 2187, with SCS (pending)
 (Cunningham)
 HCS for HB 2202, with SCS (Dixon)
 HB 2226-Barnes (Silvey)
 HB 2230-Ross (Schatz)
 HCS for HBs 2234 & 1985 (Pearce)

HB 2257-Jones, with SCS (Wieland)
 HCS for HB 2332, with SCS (Dixon)
 HCS for HB 2376, with SCS (Wasson)
 HCS for HB 2380, with SCS (Schatz)
 HCS for HB 2381 (Munzlinger)
 HCS for HB 2397 (Romine)
 HB 2429-Dohrman, with SCS (Parson)
 HB 2590-Plocher, with SCS (Keaveny)
 HCS for HB 2689, with SS, SA 1 & SSA 1
 for SA 1 (pending) (Silvey)
 SS for HJR 53-Dugger (Kraus)
 (In Fiscal Oversight)
 HJR 58-Brown (57) (Romine)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)
 HB 1539-Vescovo (Wieland)
 HB 1538-Vescovo (Wieland)
 HB 2183-Roeber (Curls)
 HCS for HB 2453, with SCS (Schaaf)
 HB 2480-Justus (Sater)
 HB 1473-Dugger, with SCS (Wasson)

HB 1388-Roeber (Dixon)
 HB 1593-Crawford (Hegeman)
 HB 2591, HB 1958 & HB 2369-Richardson,
 with SCS (Libla)
 HB 2335-Houghton, with SCS (Riddle)
 HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 625-Walsh, with HCS, as amended
 SS for SCS for SB 657-Munzlinger, with
 HCS, as amended
 SB 665-Parson, with HCS, as amended
 SCS for SBs 688 & 854-Romine, with HCS,
 as amended
 SCS for SB 703-Munzlinger, with HCS, as
 amended

SCS for SB 814-Wallingford, et al, with HCS
 SCS for SB 823-Kraus, with HCS, as amended
 SB 852-Brown, with HA 1, HA 2, as
 amended & HA 3
 SB 864-Sater, with HCS, as amended
 SB 988-Kraus, with HA 1, HA 2, HA 3,
 HA 4, as amended & HA 5
 SB 994-Munzlinger, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS,
as amended
SB 607-Sater, with HCS, as amended
SS for SB 608-Sater, with HCS, as amended
SS for SB 621-Romine, with HCS, as amended
SB 635-Hegeman, with HCS, as amended
SB 639-Riddle, with HCS, as amended
SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9
SB 677-Sater, with HCS, as amended

SB 700-Schatz, with HA 1, as amended & HA 2
SS for SB 732-Munzlinger, with HCS, as
amended
SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended
SS for SCS for SBs 865 & 866-Sater, with
HCS, as amended
SB 867-Sater, with HCS, as amended
SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 & HA 6,
as amended

Requests to Recede or Grant Conference

SCS for SB 578-Keaveny, with HCS, as
amended (Senate requests House
recede or grant conference)
HCS for HB 1584, with SCS, as amended
(Schmitt) (House requests Senate
recede or grant conference)

HB 1870-Hoskins, with SAs 1, 3, 4 & 5
(Pearce) (House requests Senate
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger

SCR 68-Schupp
SR 2062-Pearce
HCS for HCR 57 (Schaefer)
HCR 61-Engler
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FOURTH DAY—THURSDAY, MAY 5, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You desire truth in the inward being, therefore teach me wisdom in my secret heart.” (Psalm 51:6)

Omniscient God, on this day we realize the stress to accomplish what needs to be completed increases each hour and we need a calm in order to pursue the right path and prioritize what is truly important for us to do. Help us be confident that as we move ahead it is what You seek for us to do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, MissouriNet, KRCG-TV and KMIZ-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS#2** for **SCS** for **HB 1631**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 638**.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8, 9 and 10.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting the phrase “civics education” and inserting in lieu thereof the phrase “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“167.903. 1. Each student prior to his or her ninth grade year at a public school, including a charter school, may develop with help from the school’s guidance counselors a personal plan of study, which shall be reviewed regularly, as needed by school personnel and the student’s parent or guardian and updated based upon the needs of the student. Each plan shall present a sequence of courses and experiences that conclude with the student reaching his or her postsecondary goals, with implementation of the plan of study transferring to the program of postsecondary education or training upon the student’s high school graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district or charter school;

(2) Career or postsecondary goals;

(3) Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district or school may not directly offer;

(4) Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri comprehensive guidance program; and

(5) Student assessments, interest inventories, or academic results needed to develop, review, and revise the personal plan of study, which shall include, if relevant, assessments, inventories, or academic results that the school district or charter school may not offer.

2. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student’s IEP committee. For purposes of this subsection, “IEP” means individualized education program.

167.905. 1. By July 1, 2018, each school district shall develop a policy and implement a measurable system for identifying students in their ninth grade year, or students who transfer into the school

subsequent to their ninth grade year, who are at risk of not being ready for college-level work or for entry-level career positions. Districts shall include, but are not limited to, the following sources of information:

- (1) A student's performance on the Missouri assessment program test in eighth grade in English language arts and mathematics;
- (2) A student's comparable statewide assessment performance if such student transferred from another state;
- (3) The district's overall reported remediation rate under section 173.750; and
- (4) A student's attendance rate.

2. The district policy shall require academic and career counseling to take place prior to graduation so that the school may attempt to provide sufficient opportunities to the student to graduate college-ready or career-ready and on time.

3. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

167.950. 1. (1) By December 31, 2017, the department of elementary and secondary education shall develop guidelines for the appropriate screening of students for dyslexia and related disorders and the necessary classroom support for students with dyslexia and related disorders. Such guidelines shall be consistent with the findings and recommendations of the task force created under section 633.420.

(2) In the 2018-19 school year and subsequent years, each public school, including each charter school, shall conduct dyslexia screenings for students in the appropriate year consistent with the guidelines developed by the Department of Elementary and Secondary Education.

(3) In the 2018-19 school year and subsequent years, the school board of each district and the governing board of each charter school shall provide reasonable classroom support consistent with the guidelines developed by the Department of Elementary and Secondary Education.

2. In the 2018-19 school year and subsequent years, the practicing teacher assistance programs established under section 168.400 shall include two hours of in-service training provided by each local school district for all practicing teachers in such district regarding dyslexia and related disorders. Each charter school shall also offer all of its teachers two hours of training on dyslexia and related disorders. Districts and charter schools may seek assistance from the department of elementary and secondary education in developing and providing such training. Completion of such training shall count as two contact hours of professional development under section 168.021.

3. For purposes of this section, the following terms mean:

(1) "Dyslexia", a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences

may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this definition shall require a student with dyslexia to obtain an individualized education program (IEP) unless the student has otherwise met the federal conditions necessary;

(2) “Dyslexia screening”, a short test conducted by a teacher or school counselor to determine whether a student likely has dyslexia or a related disorder in which a positive result does not represent a medical diagnosis but indicates that the student could benefit from approved support;

(3) “Related disorders”, disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability;

(4) “Support”, low-cost and effective best practices, such as oral examinations and extended test-taking periods, used to support students who have dyslexia or any related disorder.

4. The state board of education shall promulgate rules and regulations for each public school to screen students for dyslexia and related disorders. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

5. Nothing in this section shall require the MO HealthNet program to expand the services that it provides.”; and

Further amend said bill, Page 3, Section 170.345, Line 14, by deleting the word “**institution**” and inserting in lieu thereof the word “**institutions**”; and

Further amend said bill, Page 4, Section 170.350, Line 14, by inserting immediately after said line the following:

“173.750. 1. By July 1, 1995, the coordinating board for higher education, within existing resources provided to the department of higher education and by rule and regulation, shall have established and implemented a procedure for annually reporting the performance of graduates of public high schools in the state during the student’s initial year in the public colleges and universities of the state. The purpose of such reports shall be to assist in determining how high schools are preparing students for successful college and university performance. The report produced pursuant to this subsection shall annually be furnished to the state board of education for reporting pursuant to subsection 4 of section 161.610 and shall not be used for any other purpose **until such time that a standard process and consistent, specific criteria for determining a student’s need for remedial coursework is agreed upon by the coordinating board for higher education, higher education institutions, and the state board of education.**

2. The procedures shall be designed so that the reporting is made by the name of each high school in the state, with individual student data to be grouped according to the high school from which the students graduated. The data in the reports shall be disaggregated by race and sex. The procedures shall not be designed so that the reporting contains the name of any student. No grade point average shall be disclosed under subsection 3 of this section in any case where three or fewer students from a particular high school

attend a particular college or university.

3. The data reported shall include grade point averages after the initial college year, calculated on, or adjusted to, a four point grade scale; the percentage of students returning to college after the first and second half of the initial college year, or after each trimester of the initial college year; the percentage of students taking noncollege level classes in basic academic courses during the first college year, or remedial courses in basic academic subjects of English, mathematics, or reading; and other such data as determined by rule and regulation of the coordinating board for higher education.

4. The department of elementary and secondary education shall conduct a review of its policies and procedures relating to remedial education in light of the best practices in remediation identified as required by subdivision (6) of subsection 2 of section 173.005 to ensure that school districts are informed about best practices to reduce the need for remediation. The department shall present its results to the joint committee on education by October 31, 2017.”; and

Further amend said bill, Pages 4-7, Section 633.420, Lines 1-110, by deleting all of said section and lines and inserting in lieu thereof the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties; any such support involving monetary expenses shall first be approved by the chairman of the joint committee on education. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, joint committee on education, and relevant state agencies regarding matters concerning individuals with dyslexia, including education and other adult and adolescent services.

3. The task force shall be comprised of twenty members consisting of the following:

(1) Two members of the senate appointed by the president pro tempore of the senate, with one member appointed from the minority party and one member appointed from the majority party;

(2) Two members of the house of representatives appointed by the speaker of the house of representatives, with one member appointed from the minority party and one member appointed from the majority party;

(3) The commissioner of education, or his or her designee;

(4) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(5) A representative from a state teachers association or the Missouri National Education Association;

(6) A representative from the International Dyslexia Association of Missouri;

(7) A representative from Decoding Dyslexia of Missouri;

(8) A representative from the Missouri Association of Elementary School Principals;

(9) A representative from the Missouri Council of Administrators of Special Education;

(10) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(11) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association;

(12) A certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(13) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(14) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(15) One private citizen who has a child who has been diagnosed with dyslexia;

(16) One private citizen who has been diagnosed with dyslexia;

(17) A representative of the Missouri State Council of the International Reading Association; and

(18) A pediatrician with knowledge of dyslexia.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2016, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia, including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and joint committee on education and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and joint committee on education.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall expire on August 31, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 2, by deleting the word “civics” and inserting in lieu thereof the phrase “elementary and secondary”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“167.777. 1. There is hereby established a committee of the house of representatives to be known as the “Missouri State High School Activities Association Interim Committee”, which shall be composed of members of the house of representatives appointed by the speaker of the house of representatives. The speaker of the house of representatives shall choose the number of members who shall make up the committee.

2. The committee shall meet at least one time during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday

of January.

3. The committee shall review issues pertaining to the Missouri State High School Activities Association.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by removing the word “civics” and inserting in lieu thereof the words “elementary and secondary”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

“162.531. The secretary of the board of each urban district shall keep a record of the proceedings of the board; he shall also keep a record of all warrants drawn upon the treasurer, showing the date and amount of each, in whose favor and upon what account it was drawn, and shall also keep a register of the bonded indebtedness of the school district; he shall also perform other duties required of him by the board, and shall safely keep all bonds or other papers entrusted to his care. He shall, before entering upon his duties, execute a bond to the school district in the penal sum of not less than five thousand dollars, the amount thereof to be fixed by the board, with at least [two sureties] **one surety**, to be approved by the board.

162.541. The treasurer of each urban district, before entering upon the discharge of his duties as such, shall enter into a bond to the state of Missouri with [two] **one** or more sureties, approved by the board, conditioned that he will render a faithful and just account of all moneys that come into his hands as treasurer, and otherwise perform the duties of his office according to law and shall file the bond with the secretary of the board. On breach of any of the conditions of the bond, the board, or the president or the secretary thereof, or any resident of the school district, may cause suit to be brought thereon, in the name of the state of Missouri, at the relation and to the use of the school district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, Section 170.011, Line 4, by deleting said line and inserting in lieu thereof the following:

“Missouri, except [privately operated trade] **proprietary** schools, and shall begin not later than”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to Senate Committee Substitute for Senate Bill No. 638, Page 2, Line 43, by inserting immediately after said line the following:

“Further amend said bill, Page 3, Section 170.011, Line 59, by inserting immediately after said line the following:

“ 170.310. 1. **For school year 2017-18 and each school year thereafter, upon graduation from high school, pupils in public schools and charter schools shall have received thirty minutes of**

cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich maneuver or other first aid for choking given any time during a pupil's four years of high school.

2. Beginning in school year 2017-18, any public school or charter school serving grades nine through twelve [may] **shall** provide enrolled students instruction in cardiopulmonary resuscitation. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. [Instruction may be embedded in any health education course] **Instruction shall be included in the district's existing health or physical education curriculum.** Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

[2.] **3.** The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

[3.] **4.** The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said amendment and page, Line 46, by inserting immediately after said line the following:

"Further amend said bill, Page 4, Section 170.350, Line 14 by inserting immediately after said line the following:

"171.021. 1. Every school in this state which is supported in whole or in part by public moneys, during the hours while school is in session, shall display in some prominent place either upon the outside of the school building or upon a pole erected in the school yard the flag of the United States of America.

2. Every school in this state which is supported in whole or in part by public moneys shall ensure that the Pledge of Allegiance to the flag of the United States of America is recited in at least one scheduled class of every pupil enrolled in that school no less often than once per [week] **school day. Flags for display in individual classrooms may be provided by voluntary donation by any person** . No student shall be required to recite the Pledge of Allegiance."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting the phrase “civics education” and inserting in lieu thereof the phrase “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“161.026. 1. Notwithstanding the provisions of section 161.032 or any other provision of law, the governor shall, by and with the advice and consent of the senate, appoint a teacher representative to the state board of education, who shall attend all meetings and participate in all deliberations of the board. Such teacher representative shall not have the right to vote on any matter before the board or be counted in establishing a quorum under section 161.082.

2. Such teacher representative shall be an active classroom teacher. For purposes of this section, “active classroom teacher” means a resident of the state of Missouri who is a full-time teacher with at least five years of teaching experience in the state of Missouri, who is certified to teach under the laws governing the certification of teachers in Missouri, and who is not on leave at the time of the appointment to the position of teacher representative. Such teacher representative shall have the written support of the local school board prior to accepting the appointment.

3. The term of the teacher representative shall be four years and appointments made under this section shall be made in rotation from each congressional district beginning with the first congressional district and continuing in numerical order.

4. If a vacancy occurs for any reason in the position of teacher representative, the governor shall appoint, by and with the advice and consent of the senate, a replacement for the unexpired term. Such replacement shall be a resident of the same congressional district as the teacher representative being replaced, shall meet the qualifications set forth in subsection 2 of this section, and shall serve until his or her successor is appointed and qualified. If the general assembly is not in session at the time for making an appointment, the governor shall make a temporary appointment until the next session of the general assembly, when the governor shall nominate a person to fill the position of teacher representative.

5. If the teacher representative ceases to be an active classroom teacher, as defined in subsection 2 of this section, or fails to follow the board’s attendance policy, the teacher representative’s position shall immediately become vacant unless an absence is caused by sickness or some accident preventing such representative’s arrival at the time and place appointed for the meeting.

6. The teacher representative shall receive the same reimbursement for expenses as members of the state board of education receive under section 161.022.

7. At no time shall more than one non-voting member serve on the state board of education.

8. The provisions of this section shall expire on August 28, 2025.

161.072. 1. The state board of education shall meet semiannually in December and in June in Jefferson City. Other meetings may be called by the president of the board on seven days' written notice to the members. In the absence of the president, the commissioner of education shall call a meeting on request of

three members of the board, and if both the president and the commissioner of education are absent or refuse to call a meeting, any three members of the board may call a meeting by similar notices in writing. The business to come before the board shall be available by free electronic record at least seven business days prior to the start of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available by free electronic media within forty-eight hours following the conclusion of every meeting. Any materials prepared for the members of the board by the staff shall be delivered to the members at least five days before the meeting, and to the extent such materials are public records as defined in section 610.010 and are not permitted to be closed under section 610.021, shall be made available by free electronic media at least five business days in advance of the meeting.

2. Upon an affirmative vote of the members of the board who are present and who are not teacher representatives, a given meeting closed under sections 610.021 and 610.022 shall be closed to the teacher representative.

162.073. For the purposes of sections 162.071, 162.073, 162.152, 162.171, 162.181, 162.191, 162.201, 162.241, [162.261,] 162.301, 162.311, 162.821 and 167.121, in those counties without a county commission, the following words shall have the following meaning:

(1) “County clerk” shall mean the vice-chairman of the county legislature or county council;

(2) “County commission” shall mean the county legislature or county council;

(3) “Presiding commissioner of the county commission” shall mean the chairman of the county legislature or county council.

162.261. 1. The government and control of a seven-director school district, other than an urban district, is vested in a board of education of seven members, who hold their office for three years, except as provided in section 162.241, and until their successors are duly elected and qualified. Any vacancy occurring in the board shall be filled by the remaining members of the board; except that if there are more than two vacancies at any one time, the county commission upon receiving written notice of the vacancies shall fill the vacancies by appointment. **If there are more than two vacancies at any one time in a county without a county commission, the county executive upon receiving written notice of the vacancies shall fill the vacancies, with the advice and consent of the county council, by appointment.** The person appointed shall hold office until the next municipal election, when a director shall be elected for the unexpired term.

2. No seven-director, urban, or metropolitan school district board of education shall hire a spouse of any member of such board for a vacant or newly created position unless the position has been advertised pursuant to board policy and the superintendent of schools submits a written recommendation for the employment of the spouse to the board of education. The names of all applicants as well as the name of the applicant hired for the position are to be included in the board minutes.

3. The provisions of article VII, section 6 of the Missouri Constitution apply to school districts.”; and

Further amend said bill, Page 3, Section 170.345, Line 14, by deleting the word “**institution** “ and inserting in lieu thereof the word “**institutions**”; and

Further amend said bill, Page 4, Section 633.420, Line 20, by inserting immediately after the word “**dyslexia**” a comma “,”; and

Further amend said bill and section, Page 5, Line 49, by inserting immediately after the word “**the**” the

word “**president**”; and

Further amend said bill, page, and section, Line 61, by deleting the word “**that**” and inserting in lieu thereof the word “**who**”; and

Further amend said bill and section, Page 6, Line 73, by inserting immediately after the word “**dyslexia**” a comma “,”; and

Further amend said bill, page, and section, Line 86, by inserting immediately after the word “**system**” a comma “,”; and

Further amend said bill, page, and section, Line 88, by deleting the comma immediately after the word “**support**”; and

Further amend said bill and section, Page 7, Lines 108-110, by deleting all of said lines and inserting in lieu thereof the following:

“8. The task force authorized under this section shall expire on August 31, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting the phrase “civics education” and inserting in lieu thereof the phrase “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been [declared] **classified as unaccredited by the state board of education**;

(4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and

section 167.349 and properly promulgated rules of the department; or

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, [which is a member of the North Central Association] and accredited by the Higher Learning Commission, with its primary campus in Missouri; [or]

(6) The Missouri charter public school commission created in section 160.425.

4. Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to

the local school board as a sponsor.

A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a “workplace charter school”, which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school’s sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter

school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences **based on the annual performance report**, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care **safety** registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance [framework] **contract** that the sponsor will use to evaluate the performance of charter schools. **Charter schools shall meet current state academic performance standards as well as**

other standards agreed upon by the sponsor and the charter school in the performance contract ;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405, the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability or obligations of the charter school.

160.403. 1. The department of elementary and secondary education shall establish an annual application

and approval process for all entities eligible to sponsor charters as set forth in section 160.400 which are not sponsoring a charter school as of August 28, 2012, **except that the Missouri charter public school commission shall not be required to undergo the application and approval process** . No later than November 1, 2012, the department shall make available information and guidelines for all eligible sponsors concerning the opportunity to apply for sponsoring authority under this section.

2. The application process for sponsorship shall require each interested eligible sponsor, **except for the Missouri charter public school commission**, to submit an application by February first that includes the following:

(1) Written notification of intent to serve as a charter school sponsor in accordance with sections 160.400 to 160.425 and section 167.349;

(2) Evidence of the applicant sponsor's budget and personnel capacity;

(3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit charter school applicants consistent with sections 160.400 to 160.425 **and section 167.349** ;

(4) The performance [framework] **contract** that the applicant sponsor would, if approved as a charter sponsor, use to [guide the establishment of a charter contract and for ongoing oversight and a description of how it would] evaluate the charter schools it sponsors; and

(5) The applicant sponsor's renewal, revocation, and nonrenewal processes consistent with section 160.405.

3. By April first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant [charter's] **sponsor's** compliance with sections 160.400 to 160.425 **and section 167.349** and properly promulgated rules of the department.

4. Within thirty days of the department's decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be six years and renewable. [No eligible sponsor which is not currently sponsoring a charter school as of August 28, 2012, shall commence charter sponsorship without approval from the state board of education and a sponsor contract with the state board of education in effect.]

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall [be] **include** a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall [also include] **address the following** :

(1) A mission and vision statement for the charter school;

(2) A description of the charter school's organizational structure and bylaws of the governing body,

which will be responsible for the policy, financial management, and operational decisions of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;

(3) A financial plan for the first three years of operation of the charter school including provisions for annual audits;

(4) A description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan;

(5) A description of the grades or ages of students being served;

(6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;

(7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;

(8) A description of the charter school's educational program and curriculum;

(9) The term of the charter, which shall be five years and [shall] **may** be [renewable] **renewed** ;

(10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;

(11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;

(12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;

(13) A description of the charter school's grievance procedure for parents or guardians;

(14) A description of the agreement **and time frame for implementation** between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;

(15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection 16 of section 160.400 including:

(a) Orderly transition of student records to new schools and archival of student records;

(b) Archival of business operation and transfer or repository of personnel records;

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations; [and]

(e) Disposition of the charter school's assets upon closure; **and**

(f) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education within thirty days of the decision to close;

(16) A description of the special education and related services that shall be available to meet the needs of students with disabilities; and

(17) For all new or revised charters, procedures to be used upon closure of the charter school requiring that unobligated assets of the charter school be returned to the department of elementary and secondary education for their disposition, which upon receipt of such assets shall return them to the local school district in which the school was located, the state, or any other entity to which they would belong.

Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the requirements of this subsection.

2. Proposed charters shall be subject to the following requirements:

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for review and granting of a charter approval, and be approved by the state board of education by [December first of the year] **January thirty-first** prior to **the school year** of the proposed opening date of the charter school;

(2) A charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity. The sponsor's decision of approval or denial shall be made within ninety days of the filing of the proposed charter;

(3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial and forward a copy to the state board of education within five business days following the denial;

(4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, that the applicant is sufficiently qualified to operate the charter school, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk

students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a “high-risk” student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. “Dropout” shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding **by the sponsor** that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance, **including annual performance reports**, of students enrolled in the charter school. The state board of education [may, within sixty days, disapprove the granting of the charter] **shall approve or deny a charter application within sixty days of receipt of the application**. The state board of education may [disapprove] **deny** a charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. **Any denial of a charter application made by the state board of education shall be in writing and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided within ten business days to the sponsor.**

4. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum [number of school days and hours] **amount of school time** required under section [160.041] **171.031**, and the employee criminal history background check and the family care safety registry check under section 168.133;

(3) Except as provided in sections 160.400 to 160.425 **and as specifically provided in other sections**, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education’s internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local [education] **educational**

agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from [kindergarten] **early childhood** through grade twelve, [which may include early childhood education if funding for such programs is established by statute,] as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, establish baseline student performance in accordance with the performance contract during the first year of operation, collect student performance data as defined by the annual performance report throughout the duration of the charter to annually monitor student academic performance, and to the extent applicable based upon grade levels offered by the charter school, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, which shall also include a statement that background checks have been completed on the charter school's board members, **and** report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof[, and provide data required for the study of charter schools pursuant to subsection 4 of section 160.410]. No charter school shall be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) For proposed [high risk] **high-risk** or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a [high risk] **high-risk** or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

(c) Nothing in this subdivision shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on measures defined in the school's performance contract with its sponsors;

(7) Comply with all applicable federal and state laws and regulations regarding students with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

(8) Provide along with any request for review by the state board of education the following:

(a) Documentation that the applicant has provided a copy of the application to the school board of the district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and

(b) A statement outlining the reasons for approval or [disapproval] **denial** by the sponsor, specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations during the first year of operation and then every other year after the most recent review or at any point where the operation or management of the charter school is changed or transferred to another entity, either public or private. The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. Sponsors shall annually review the charter school's compliance with statutory standards including:

(1) Participation in the statewide system of assessments, as designated by the state board of education under section 160.518;

(2) Assurances for the completion and distribution of an annual report card as prescribed in section 160.522;

(3) The collection of baseline data during the first three years of operation to determine the longitudinal success of the charter school;

(4) A method to measure pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and

(5) Publication of each charter school's annual performance report.

8. (1) (a) A sponsor's [intervention] policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

a. The charter school provides a high school program which fails to maintain a graduation rate of at least seventy percent in three of the last four school years unless the school has dropout recovery as its mission;

b. The charter school's annual performance report results are below the district's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located in three of the last four school years; and

c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.

(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

a. Clear evidence of underperformance as demonstrated in the charter school's annual performance report in three of the last four school years; or

b. A violation of the law or the public trust that imperils students or public funds.

(c) A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than [twelve] **twenty-four** months, provided that no more than one designation of probationary status shall be allowed for the duration of the charter contract, at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet the performance contract as set forth in its charter, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days following receipt of written notice requesting such information, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, which may require a change of methodology, a change in leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an appeal to the state board of education, which shall determine whether the charter shall be revoked.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided

under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

(2) The sponsor's renewal process of the charter school shall be based on the thorough analysis of a comprehensive body of objective evidence and consider if:

(a) The charter school has maintained results on its annual performance report that meet or exceed the district in which the charter school is located based on the performance standards that are applicable to the grade-level configuration of both the charter school and the district in which the charter school is located in three of the last four school years;

(b) The charter school is organizationally and fiscally viable determining at a minimum that the school does not have:

a. A negative balance in its operating funds;

b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or

c. Expenditures that exceed receipts for the most recently completed fiscal year;

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; **and**

(d) The charter school has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable as described in paragraph (b) of this subdivision. If such is the case, the charter school may have an expedited renewal process as defined by rule of the department of elementary and secondary education .

(3) (a) Beginning August first during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school's performance contract including but not limited to those requirements specific to academic performance.

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If a charter school sponsor demonstrates the objectives identified in this subdivision, the state board of education shall renew the school's charter.

10. A school district may enter into a lease with a charter school for physical facilities.

11. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, “unlawful reprisal” means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

13. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035.

14. The chief financial officer of a charter school shall maintain:

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or

(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

15. The department of elementary and secondary education shall calculate an annual performance report for each charter school and shall publish it in the same manner as annual performance reports are calculated and published for districts and attendance centers.

16. The joint committee on education shall create a committee to investigate facility access and affordability for charter schools. The committee shall be comprised of equal numbers of the charter school sector and the public school sector and shall report its findings to the general assembly by December 31, 2016.

160.408. 1. For purposes of this section, “high-quality charter school” means a charter school operating in the state of Missouri that meets the following requirements:

(1) Receives eighty-five percent or more of the total points on the annual performance report for three out of the last four school years by comparing points earned to the points possible on the annual performance report for three of the last four school years;

(2) Maintains a graduation rate of at least eighty percent for three of the last four school years, if the charter school provides a high school program;

(3) Is in material compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; and

(4) Is organizationally and fiscally viable as described in paragraph (b) of subdivision (2) of subsection 9 of section 160.405.

2. Notwithstanding any other provision of law, high-quality charter schools shall be provided expedited opportunities to replicate and expand into unaccredited districts, a metropolitan district, or an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Such replication and expansion shall be subject to the following:

(1) The school seeking to replicate or expand shall submit its proposed charter to a proposed sponsor. The charter shall include a legally binding performance contract that meets the requirements of sections 160.400 to 160.425 and section 167.349;

(2) The sponsor's decision to approve or deny shall be made within sixty days of the filing of the proposed charter with the proposed sponsor;

(3) If a charter is approved by a sponsor, the charter application shall be filed with the state board of education with a statement of finding from the sponsor that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the sponsor shall evaluate the academic performance of students enrolled in the charter school. Such filing shall be made by January thirty-first prior to the school year in which the charter school intends to begin operations.

3. The term of the charter for schools operating under this section shall be five years, and the charter may be renewed for terms of up to ten years. Renewal shall be subject to the provisions of paragraphs (a) to (d) of subdivision (3) of subsection 9 of section 160.405.

160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates;

(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;

(3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;

(4) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

[(4)] (5) In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall

have an admissions process that assures all applicants of an equal chance of gaining admission **and does not discriminate based on parents' ability to pay fees or tuition** except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school or in the case of a workplace charter school, a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school [that are present for the January membership count as defined in section 163.011] **who have been enrolled for a full academic year** shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. **For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.**

[4. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with an equivalent group of district students representing an equivalent demographic and geographic population and a study of the impact of charter schools upon the constituents they serve in the districts in which they are located, to be conducted by the joint committee on education. The charter school study shall include analysis of the administrative and instructional practices of each charter school and shall include findings on innovative programs that illustrate best practices and lend themselves to replication or incorporation in other schools. The joint committee on education shall coordinate with individuals representing charter schools and the districts in which charter schools are located in conducting the study. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and an equivalent group of district students representing an equivalent demographic and geographic population. The student performance assessment and comparison shall include, but may not be limited to:

(1) Missouri assessment program test performance and aggregate growth over several years;

(2) Student reenrollment rates;

(3) Educator, parent, and student satisfaction data;

(4) Graduation rates in secondary programs; and

(5) Performance of students enrolled in the same public school for three or more consecutive years. The impact study shall be undertaken every two years to determine the impact of charter schools on the

constituents they serve in the districts where charter schools are operated. The impact study shall include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.]

[5.] **4.** A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522;
- (3) The results of background checks on the charter school's board members; and

(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

[6.] **5.** When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[7.] **6.** If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[8.] **7.** The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced **price** lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced **price** lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local [education] **educational** agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter

536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

7. In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services[,] **or** management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the [educational] **education** service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school may not charge tuition[, nor may it] **or** impose fees that a school district is prohibited from **charging or imposing except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district .**

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. **Except as otherwise specifically provided in sections 160.400 to 160.425,** upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. **A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405.** The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.417. 1. By October 1, 2012, and by each October first thereafter, the sponsor of each charter school shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department of elementary and secondary education shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house of representatives, and president pro tempore of the senate by the department of elementary and secondary education.

2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:

(1) At the end of its most recently completed fiscal year:

(a) Has a negative balance in its operating funds; or

(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; [or]

(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its funds

because of recurring costs; **or**

(3) Due to insufficient fund balances or reserves, incurred debt after January thirty-first and before July first during the most recently completed fiscal year in order to meet expenditures of the charter school .

3. The sponsor shall notify by November first the governing board of the charter school identified as experiencing financial stress. Upon receiving the notification, the governing board shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the sponsor. The budget and education plan shall be submitted to the sponsor, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:

(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide the minimum [number of school days and hours] **amount of school time** required by section [160.041] **171.031** ;

(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and

(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.

4. Upon receipt and following review of any budget and education plan, the sponsor may make suggestions to improve the plan. Nothing in sections 160.400 to 160.425 or section 167.349 shall exempt a charter school from submitting a budget and education plan to the sponsor according to the provisions of this section following each such notification that a charter school has been identified as experiencing financial stress, except that the sponsor may permit a charter school's governing board to make amendments to or update a budget and education plan previously submitted to the sponsor.

5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the sponsor and the charter school have fully complied with this section.

163.018. 1. Notwithstanding the definition of "average daily attendance" in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced **price** lunch and attend an early childhood education program:

(1) That is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education; or

(2) That is under contract with a district or charter school that has declared itself as a local educational agency and that meets standards established by the state board of education

shall be included in the district's or charter school's calculation of average daily attendance. The total number of such pupils included in the district's or charter school's calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced **price** lunch between the ages of [three] **five** and eighteen who are included in the district's or charter school's calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, **and for any charter school located in said district**, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts **and charter schools**, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

167.131. 1. The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county **or who attends an approved charter school in the same or an adjoining county**.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. **The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district**, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. **For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements.** The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the

public school of his or her choice.

3. For purposes of this section, “approved charter school” means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

167.241. Transportation for pupils whose tuition the district of residence is required to pay by section 167.131 or who are assigned as provided in section 167.121 shall be provided by the district of residence; however, in the case of pupils covered by section 167.131, the district of residence shall be required to provide transportation only to **approved charter schools**, school districts accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in section 161.092, and those school districts designated by the board of education of the district of residence.”; and

Further amend said bill, Page 7, Section 633.420, Line 110, by inserting after all of said section and line the following:

“Section B. Because of the importance of funding early childhood education programs, section 163.018 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 163.018 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting the phrase “civics education” and inserting in lieu thereof the phrase “elementary and secondary education”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“161.217. 1. The department of elementary and secondary education, in collaboration with the Missouri Head Start State Collaboration Office and the departments of health and senior services, mental health, and social services, shall develop, as a three-year pilot program, a voluntary early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.

2. Participation in the early learning quality assurance report pilot program shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.

3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.

5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is

defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

62.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall determine a child is gifted only if the child meets the definition of "gifted children" as provided in section 162.675.'

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of [this] section 163.031 as such section existed on July 1, 2008', as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of [this] section **163.031 as such section existed on July 1, 2008**, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

5. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1 and 2 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

6. **(1)** If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced **price** lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced **price** lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) In the 2017-18 school year and in each subsequent school year, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount. The provisions of this subdivision shall apply to districts entitled to receive state aid payments under both subsections 1 and 2 of this section but shall not apply to any school district with an average daily attendance of three hundred fifty or less.

7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.”; and

Further amend said bill, Page 7, Section 633.420, Line 110, by inserting after all of said section and line the following:

“[161.216. 1. No public institution of higher education, political subdivision, governmental entity, or quasi-governmental entity receiving state funds shall operate, establish, or maintain, offer incentives to participate in, or mandate participation in a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education, unless the authority to operate, establish, or maintain such a system is enacted into law through:

- (1) A bill as prescribed by Article III of the Missouri Constitution;
- (2) An initiative petition as prescribed by Section 50 of Article III of the Missouri Constitution; or
- (3) A referendum as prescribed by Section 52(a) of Article III of the Missouri Constitution.

2. No public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to operate, establish, or maintain a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless such public institution of higher education, political subdivision, governmental entity or quasi-governmental entity receiving state funds has received statutory authority to do so in a manner consistent with subsection 1 of this section.

3. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against any public institution of higher education, political subdivision, governmental entity or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider.

5. For purposes of this section:

(1) “Early childhood education” shall mean education programs that are both centered and home-based and providing services for children from birth to kindergarten;

(2) “Quality rating system” or “training quality assurance system” shall include the model from the Missouri quality rating system pilots developed by the University of Missouri center for family policy and research, any successor model, or substantially similar model. “Quality rating system” or “training quality assurance system” shall also include but not be limited to a tiered rating system that provides a number of tiers or levels to set benchmarks for quality that build upon each other, leading to a top tier that includes program accreditation. “Quality rating system” or “training quality assurance system” may also include a tiered reimbursement system that may be tied to a tiered rating system;

(3) “Tiered reimbursement system” or “training quality assurance system” shall include but not be limited to a system that links funding to a quality rating system, a system to award higher child care subsidy payments to programs that attain higher quality levels, or a system that offers other incentives through tax policy or

professional development opportunities for child care providers.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, in the Title, Line 3, by deleting the word “civics” and inserting in lieu thereof the phrase “elementary and secondary”; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after all of said line the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification

that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

[4.] **5.** By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

[5.] **6.** For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

[6.] **7.** For any school year, grants authorized by subsections 1, 2, and [4] **5** of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection [7] **8** of this section.

[7.] **8.** The department of higher education shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [9] **10** of this section for any two-year private vocational or

technical school for any student:

(1) Who has attended a [public] high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

[8.] **9.** The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] **10.** For a two-year private vocational or technical school to obtain reimbursements under subsection [7] **8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting the word “civics” and inserting in lieu thereof the phrase “elementary and secondary”; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after all of said line the following:

“161.1050. 1. There is hereby established within the department of elementary and secondary education the “Trauma-Informed Schools Initiative”.

2. The department of elementary and secondary education shall consult the department of mental health and the department of social services for assistance in fulfilling the requirements of this section.

3. The department of elementary and secondary education shall:

(1) Provide information regarding the trauma-informed approach to all school districts;

(2) Offer training on the trauma-informed approach to all school districts, which shall include information on how schools can become trauma-informed schools; and

(3) Develop a website about the trauma-informed schools initiative that includes information for schools and parents regarding the trauma-informed approach and a guide for schools on how to become trauma-informed schools.

4. Each school district shall provide the address of the website described under subdivision (3) of subsection 3 of this section to all parents of the students in its district before October first of each school year.

5. For purposes of this section, the following terms mean:

(1) “Trauma-informed approach”, an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

(2) “Trauma-informed school”, a school that:

(a) Realizes the widespread impact of trauma and understands potential paths for recovery;

(b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

(c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and

(d) Seeks to actively resist re-traumatization.

161.1055. 1. Subject to appropriations, the department of elementary and secondary education shall establish the “Trauma-Informed Schools Pilot Program”.

2. Under the trauma-informed schools pilot program, the department of elementary and secondary education shall choose five schools to receive intensive training on the trauma-informed approach.

3. The five schools chosen for the pilot program shall be located in the following areas:

(1) One public school located in a metropolitan school district;

(2) One public school located in a home rule city with more than four hundred thousand inhabitants and located in more than one county;

(3) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(4) One public school located in a school district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants; and

(5) One public school located in any one of the following counties:

(a) A county of the third classification without a township form of government and with more than forty-one thousand but fewer than forty-five thousand inhabitants;

(b) A county of the third classification without a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(c) A county of the third classification with a township form of government and with more than thirty-one thousand but fewer than thirty-five thousand inhabitants;

(d) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat;

(e) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat;

(f) A county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(g) A county of the third classification without a township form of government and with more than fourteen thousand but fewer than sixteen thousand inhabitants and with a city of the fourth classification with more than one thousand nine hundred but fewer than two thousand one hundred inhabitants as the county seat;

(h) A county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat;

(i) A county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants; or

(j) A county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than five hundred but fewer than five hundred fifty inhabitants as the county seat.

4. The department of elementary and secondary education shall:

(1) Train the teachers and administrators of the five schools chosen for the pilot program regarding the trauma-informed approach and how to become trauma-informed schools;

(2) Provide the five schools with funds to implement the trauma-informed approach; and

(3) Closely monitor the progress of the five schools in becoming trauma-informed schools and provide further assistance if necessary.

5. The department of elementary and secondary education shall terminate the trauma-informed schools pilot program on August 28, 2019. Before December 31, 2019, the department of elementary and secondary education shall submit a report to the general assembly that contains the results of the pilot program, including any benefits experienced by the five schools chosen for the program.

6. (1) There is hereby created in the state treasury the “Trauma-Informed Schools Pilot Program Fund”. The fund shall consist of any appropriations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

7. For purposes of this section, the following terms mean:

(1) “Trauma-informed approach”, an approach that involves understanding and responding to the symptoms of chronic interpersonal trauma and traumatic stress across the lifespan;

(2) “Trauma-informed school”, a school that:

(a) Realizes the widespread impact of trauma and understands potential paths for recovery;

(b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

(c) Responds by fully integrating knowledge about trauma into its policies, procedures, and practices; and

(d) Seeks to actively resist re-traumatization.

8. The provisions of this section shall expire December 31, 2019. “; and

Further amend said bill, Page 7, Section 633.420, Line 110, by inserting immediately after all of said line the following:

“Section B. Section 161.1050 of this act shall become effective July 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend Senate Committee Substitute for Senate Bill No. 638, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “relating to elementary and secondary education.”; and

Further amend said bill, Page 3, Section 170.011, Line 59, by inserting after all of said section and line

the following:

“170.269. A school district or charter school that provides instruction in a grade or grades not lower than the third nor higher than the twelfth grade may incorporate water and swim safety information into the school district's or charter school's existing physical education curriculum for students in such grades. Instruction shall focus on educating students on becoming safer in and around the water and include discussion of statistics that show that drowning is a major public health problem worldwide.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 786**, entitled:

An Act to repeal sections 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof fifteen new sections relating to elections, with an emergency clause for certain sections and a delayed effective date for certain sections.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 11, Section 115.960, Line 29, by inserting immediately after the phrase **“by that office.”** on said line the following:

“The committee may also make recommendations regarding the purchase, maintenance, integration, and operation of electronic databases, software, and hardware used by local election authorities and the secretary of state's office including, but not limited to, systems used for military and overseas voting and for building and conducting election operations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 10, Section 115.642, Line 13, by deleting the reference number **“115.641”** on said line and inserting in lieu thereof the reference number **“115.646”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“115.105. 1. The chair of the county committee of each political party named on the ballot shall have the right to designate a challenger for each polling place, who may be present [during the hours of voting] **until all ballots are cast on the day of election** , and a challenger for each location at which absentee ballots are counted, who may be present while the ballots are being prepared for counting and counted. No later than four business days before the election, the chair of each county committee of each political party named on the ballot shall provide signed official designation forms with the names of the designated challengers and substitutes to the local election authority for confirmation of eligibility to serve as a challenger. The local election authority, after verifying the eligibility of each designated and substitute challenger, shall sign off on the official designation forms, unless the challenger is found not to have the qualifications established by subsection 5 of this section. If the election authority determines that a challenger does not meet the qualifications of subsection 5 of this section, the designating party chair may designate a replacement challenger and provide the local election authority with the name of the replacement challenger before 5:00 p.m. of the Monday preceding the election. The designating chair may substitute challengers at his or her discretion during such hours.

2. Challenges may only be made when the challenger believes the election laws of this state have been or will be violated, and each challenger shall report any such belief to the election judges, or to the election authority if not satisfied with the decision of the election judges.

3. Prior to the close of the polls, challengers may list and give out the names of those who have voted. The listing and giving out of names of those who have voted by a challenger shall not be considered giving information tending to show the state of the count.

4. In a presidential primary election, challengers may collect information about the party ballot selected by the voter and may disclose party affiliation information after the polls close.

5. All persons selected as challengers shall have the same qualifications required by section 115.085 for election judges, except that such challenger shall be a registered voter in the jurisdiction of the election authority for which the challenger is designated as a challenger.

6. Any challenge by a challenger to a voter's identification for validity shall be made only to the election judges or other election authority. If the poll challenger is not satisfied with the decision of the election judges, then he or she may report his or her belief that the election laws of this state have been or will be violated to the election authority as allowed under this section.

115.107. 1. At every election, the chairman of the county committee of each political party named on the ballot shall have the right to designate a watcher for each place votes are counted.

2. Watchers are to observe the counting of the votes and present any complaint of irregularity or law violation to the election judges, or to the election authority if not satisfied with the decision of the election judges.

No watcher may be substituted for another on election day.

3. No watcher shall report to anyone the name of any person who has or has not voted.

4. **A watcher may remain present until all closing certification forms are completed, all equipment is closed and taken down, the transportation case for the ballots is sealed, election materials are returned to the election authority or to the designated collection place for a polling place, and any other duties or procedures required under sections 115.447 to 115.491 are completed. A watcher may**

also remain present at each location at which absentee ballots are counted and may remain present while such ballots are being prepared for counting and counted.

5. All persons selected as watchers shall have the same qualifications required by section 115.085 for election judges, except that such watcher shall be a registered voter in the jurisdiction of the election authority for which the watcher is designated as a watcher.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“115.125. 1. Not later than 5:00 p.m. on the tenth Tuesday prior to any election, except a special election to decide an election contest, tie vote or an election to elect seven members to serve on a school board of a district pursuant to section 162.241, or a delay in notification pursuant to subsection 2 of this section, or pursuant to the provisions of section 115.399, the officer or agency calling the election shall notify the election authorities responsible for conducting the election. The notice shall be in writing, shall specify the name of the officer or agency calling the election and shall include a certified copy of the legal notice to be published pursuant to subsection 2 of section 115.127. The notice and any other information required by this section may, with the prior notification to the election authority receiving the notice, be accepted by facsimile transmission prior to 5:00 p.m. on the tenth Tuesday prior to the election, provided that the original copy of the notice and a certified copy of the legal notice to be published shall be received in the office of the election authority within three business days from the date of the facsimile transmission. In lieu of a certified copy of the legal notice to be published pursuant to subsection 2 of section 115.127, each notice of a special election to fill a vacancy shall include the name of the office to be filled, the date of the election and the date by which candidates must be selected or filed for the office. Not later than the fourth Tuesday prior to any special election to fill a vacancy called by a political subdivision or special district, the officer or agency calling the election shall certify a sample ballot to the election authorities responsible for conducting the election.

2. [Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the political subdivision or special district calling for the election agrees to pay any printing or reprinting costs, a political subdivision or special district may, at any time after certification required in subsection 1 of this section, but no later than 5:00 p.m. on the sixth Tuesday before the election, be permitted to make late notification to the election authority pursuant to court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the political subdivision or special district to the circuit court of the area of such subdivision or district.] **The ten week filing deadline established under subsection 1 of this section is mandatory for all political subdivisions and special districts that are not specifically exempt from such deadline by law or charter, and no court shall order any individual or issue placed on a regular election day ballot for such political subdivisions or special districts if the deadline is violated. When such deadline is violated, a special election may be held at the request of a political subdivision or district; however, when a special election is called to fill a vacancy, or present a ballot measure of any type, that could have been submitted at a regular election day, but for a violation of the ten week notice requirement of subsection 1 of this section, then all costs of such special election called by a political subdivision or special district shall be paid in full by such political subdivision or special district. No court shall**

have the authority to order an individual or issue be placed on the ballot less than six weeks before the date of the election, except as provided in sections 115.361 and 115.379.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 786, Page 3, Section 115.361, Line 28, by inserting after all of said section and line the following:

“115.367. 1. In the event that the boundaries of a district have been altered, or a new district established for a candidate to be selected by a party committee since the last election in which a party candidate ran for such office, the members of the nominating committee shall be the members of the various nominating committees for that office, as provided in section 115.365 who reside within the altered or new district; provided, however, that members of nominating committees for candidates for special elections to fill vacancies conducted pursuant to section 21.130 shall be from the [old] districts **as they existed at the time of the decennial census**. The chairman of the nominating committee shall be the committee chairman of the county which polled the highest vote for the party candidate for governor within the area to be represented at the last gubernatorial election.

2. In the event that a candidate is to be selected by a party committee of a new political party which has not yet elected committeemen and committeewomen in the manner provided by law, the chairman of the nominating committee shall be the provisional chairman of the party for the state, or if the political party is formed for a district or political subdivision less than the state, the chairman of the nominating committee shall be the provisional chairman of the party for such district or political subdivision.

The chairman of the nominating committee shall appoint additional members of the nominating committee, not less than four in number.

3. In the event that a candidate is to be selected for nomination or election to an office by a new political party which has elected committeemen and committeewomen in the manner provided for established political parties, the members of the nominating committee shall be the same as provided in section 115.365.

4. Notwithstanding any other provision of law, in the event that a candidate is to be selected for nomination or election to the office of representative in the United States Congress by the congressional district committee of a political party under section 115.365, then the members of the congressional district committee eligible to vote for the nomination of a candidate for such representative in Congress shall reside in the requisite United States congressional district. A county committee or other political party committee with members comprising a congressional district committee whose member is ineligible to vote under this section may replace any member by majority vote of the committee prior to the nomination vote. If no replacement member or members are selected, then those positions shall remain vacant during the nomination process.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 702**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 702, Page 1, In the Title, Line 3, by deleting the words “unemployment compensation benefits” and inserting in lieu thereof the words “employment security”; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line the following:

“288.032. 1. After December 31, 1977, “employer” means:

(1) Any employing unit which in any calendar quarter in either the current or preceding calendar year paid for service in employment wages of one thousand five hundred dollars or more except that for the purposes of this definition, wages paid for “agricultural labor” as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and for “domestic services” as defined in subdivisions (2) and (13) of subsection 12 of section 288.034 shall not be considered;

(2) Any employing unit which for some portion of a day in each of twenty different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, had in employment at least one individual (irrespective of whether the same individual was in employment in each such day); except that for the purposes of this definition, services performed in “agricultural labor” as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and in “domestic services” as defined in subdivisions (2) and (13) of subsection 12 of section 288.034 shall not be considered;

(3) Any governmental entity for which service in employment as defined in subsection 7 of section 288.034 is performed;

(4) Any employing unit for which service in employment as defined in subsection 8 of section 288.034 is performed during the current or preceding calendar year;

(5) Any employing unit for which service in employment as defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034 is performed during the current or preceding calendar year;

(6) Any employing unit for which service in employment as defined in subsection 13 of section 288.034 is performed during the current or preceding calendar year;

(7) Any individual, type of organization or employing unit which has been determined to be a successor pursuant to section 288.110;

(8) Any individual, type of organization or employing unit which has elected to become subject to this law pursuant to subdivision (1) of subsection 3 of section 288.080;

(9) Any individual, type of organization or employing unit which, having become an employer, has not pursuant to section 288.080 ceased to be an employer;

(10) Any employing unit subject to the Federal Unemployment Tax Act or which, as a condition for approval of this law for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required, pursuant to such act, to be an employer pursuant to this law.

2. (1) Notwithstanding any other provisions of this law, any employer, individual, organization, partnership, corporation, other legal entity or employing unit that meets the definition of “lessor employing unit”, as defined in subdivision (5) of this subsection, shall be liable for contributions on wages paid by the lessor employing unit to individuals performing services for client lessees of the lessor employing unit. Unless the lessor employing unit has timely complied with the provisions of subdivision (3) of this subsection, any employer, individual, organization, partnership, corporation, other legal entity or employing unit which is leasing individuals from any lessor employing unit shall be jointly and severally liable for any unpaid contributions, interest and penalties due pursuant to this law from any lessor employing unit attributable to wages for services performed for the client lessee entity by individuals leased to the client lessee entity, and the lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessee entities. Delinquent contributions, interest and penalties shall be collected in accordance with the provisions of this chapter.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, any governmental entity or nonprofit organization that meets the definition of “lessor employing unit”, as defined in subdivision (5) of this subsection, and has elected to become liable for payments in lieu of contributions as provided in subsection 3 of section 288.090, shall pay the division payments in lieu of contributions, interest, penalties and surcharges in accordance with section 288.090 on benefits paid to individuals performing services for the client lessees of the lessor employing unit. If the lessor employing unit has not timely complied with the provisions of subdivision (3) of this subsection, any client lessees with services attributable to and performed for the client lessees shall be jointly and severally liable for any unpaid payments in lieu of contributions, interest, penalties and surcharges due pursuant to this law. The lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessees. Delinquent payments in lieu of contributions, interest, penalties and surcharges shall be collected in accordance with subsection 3 of section 288.090. The election to be liable for payments in lieu of contributions made by a governmental entity or nonprofit organization meeting the definition of “lessor employing unit” may be terminated by the division in accordance with subsection 3 of section 288.090.

(3) In order to relieve a client lessees from joint and several liability and the separate reporting requirements imposed pursuant to this subsection, any lessor employing unit may post and maintain a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the lessor employing unit was liable in the last calendar year in which he or she accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties and surcharges for which the lessor employing unit may be, or becomes, liable pursuant to this law. In lieu of a surety bond, the lessor employing unit may deposit in a depository designated by the director, securities with marketable value equivalent to the amount required for a surety bond. The securities so deposited shall include authorization to the director to sell any securities in an amount sufficient to pay any contributions or payments in lieu of contributions, interest, penalties and surcharges which the lessor employing unit fails to promptly pay when due. In lieu of a surety bond or securities as described in this subdivision, any lessor employing unit may provide the director with an irrevocable letter of credit, as defined in section 409.5-103, issued by any state or federally chartered financial institution, in an amount equivalent to the amount required for a surety bond as described in this subdivision. In lieu of a surety bond, securities or an irrevocable letter of credit, a lessor employing unit may obtain a certificate of deposit issued by any state or federally chartered financial institution, in an amount

equivalent to the amount required for a surety bond as described in this subdivision. The certificate of deposit shall be pledged to the director until release by the director. As used in this subdivision, the term “certificate of deposit” means a certificate representing any deposit of funds in a state or federally chartered financial institution for a specified period of time which earns interest at a fixed or variable rate, where such funds cannot be withdrawn prior to a specified time without forfeiture of some or all of the earned interest.

(4) Any lessor employing unit which is currently engaged in the business of leasing individuals to client lessees shall comply with the provisions of subdivision (3) of this subsection by September 28, 1992. Lessor employing units not currently engaged in the business of leasing individuals to client lessees shall comply with subdivision (3) of this subsection before entering into a written lease agreement with client lessees.

(5) As used in this subsection, the term “lessor employing unit” means an independently established business entity, governmental entity as defined in subsection 1 of section 288.030 or nonprofit organization as defined in subsection 3 of section 288.090 which, pursuant to a written lease agreement between the lessor employing unit and the client lessees, engages in the business of providing individuals to any other employer, individual, organization, partnership, corporation, other legal entity or employing unit referred to in this subsection as a client lessee.

(6) The provisions of this subsection shall not be applicable to private employment agencies who provide their employees to employers on a temporary help basis provided the private employment agencies are liable as employers for the payment of contributions on wages paid to temporary workers so employed.

3. After September 30, 1986, notwithstanding any provision of section 288.034, for the purpose of this law, in no event shall a for-hire motor carrier as regulated by the Missouri division of motor carrier and railroad safety or whose operations are confined to a commercial zone be determined to be the employer of a lessor as defined in 49 CFR Section 376.2(f), or of a driver receiving remuneration from a lessor as defined in 49 CFR Section 376.2(f), provided, however, the term “for-hire motor carrier” shall in no event include an organization described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

4. The owner or operator of a beauty salon or similar establishment shall not be determined to be the employer of a person who utilizes the facilities of the owner or operator but who receives neither salary, wages or other compensation from the owner or operator and who pays the owner or operator rent or other payments for the use of the facilities.

5. For purposes of this chapter, a taxicab driver shall not be considered to be an employee of the company that leases the taxicab to the driver or that provides dispatching or similar rider referral services unless the driver is shown to be an employee of that company by application of the Internal Revenue Service twenty-factor right-to-control test. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 973**, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to dispensing

maintenance medication.

With House Amendment Nos. 1, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 8, House Amendment No. 1 to House Amendment No. 9, and House Amendment No. 9, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Line 3, by deleting the word “maintenance”; and

Further amend said bill and page, Section 338.202, Line 13, by inserting after all of said section and line the following:

“376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months’ or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

5. The provisions of this section shall terminate on January 1, [2017] **2020.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Lines 2-3, by deleting the words “dispensing maintenance medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section 338.202, Line 13, by inserting after all of said section and line the following:

“404.1100. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or

hydration is supplied through a tube inserted into a person's nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person's bloodstream or provided subcutaneously;

(2) "Best interests":

(a) Promoting the incapacitated person's right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(3) "Designated health care decision-maker", the person designated to make health care decisions for a patient under section 404.1104, not including a person acting as a guardian or an agent under a durable power of attorney for health care or any other person legally authorized to consent for the patient under any other law to make health care decisions for an incapacitated patient;

(4) "Disability" or "disabled" shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that the term "this chapter" in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(5) "Health care", a procedure to diagnose or treat a human disease, ailment, defect, abnormality, or complaint, whether of physical or mental origin and includes:

(a) Assisted living services, or intermediate or skilled nursing care provided in a facility licensed under chapter 198;

(b) Services for the rehabilitation or treatment of injured, disabled, or sick persons; or

(c) Making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(6) "Health care facility", any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(7) "Health care provider", any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(8) "Incapacitated", a person who is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to such an extent that the person lacks capacity to meet essential requirements for food, clothing, shelter, safety, or other care such that serious physical injury, illness, or disease is likely to occur;

(9) "Patient", any adult person or any person otherwise authorized to make health care decisions for himself or herself under Missouri law;

(10) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(11) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1102. The determination that a patient is incapacitated shall be made as set forth in section 404.825. A health care provider or health care facility may rely in the exercise of good faith and in accordance with reasonable medical judgment upon the health care decisions made for a patient by a designated health care decision-maker selected in accordance with section 404.1104, provided two licensed physicians determine, after reasonable inquiry and in accordance with reasonable medical judgment, that such patient is incapacitated and has neither a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, is not a child under the jurisdiction of the juvenile court under section 211.031, nor any other known person who has the legal authority to make health care decisions.

404.1103. Upon a determination that a patient is incapacitated, the physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth in section 404.1104 of whom the physician or physician’s designee is aware, of the need to appoint a designated health care decision-maker. Reasonable efforts include, without limitation, identifying potential designated health care decision makers as set forth in subsection 1 of section 404.1104, a guardian with medical decision-making authority appointed in accordance with chapter 475, an attorney in fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, the juvenile court under section 211.031, or any other known person who has the legal authority to make health care decisions, by examining the patient’s personal effects and medical records. If a family member, attorney in fact for health care or guardian with health care decision-making authority is identified, a documented attempt to contact that person by telephone, with all known telephone numbers and other contact information used, shall be made within twenty-four hours after a determination of incapacity is made as provided in section 404.1102.

404.1104. 1. If a patient is incapacitated under the circumstances described in section 404.1102 and is unable to provide consent regarding his or her own health care, and does not have a legally appointed guardian, an agent under a health care durable power of attorney, is not under the jurisdiction of the juvenile court, or does not have any other person who has legal authority to consent for the patient, decisions concerning the patient’s health care may be made by the following competent persons in the following order of priority, with the exception of persons excluded under subsection 4 of section 404.1104:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

- (a)** A current dissolution of marriage or separation action;
- (b)** A signed written property or marital settlement agreement;

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services;

(6) An adult who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values; or

(7) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. If a person who is a member of the classes listed in subsection 1 of this section, regardless of priority, or a health care provider or a health care facility involved in the care of the patient, disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient, any such person, provider, or facility, or any other person interested in the welfare of the patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with subsection 8 of this section to act in the best interest of the patient.

3. A person who is a member of the classes listed in subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a healthcare provider, or healthcare facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under subsection 8 of this section to act in the best interests of the patient.

4. Priority under this section shall not be given to persons in any of the following circumstances:

(1) If a report of abuse or neglect of the patient has been made under section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.163 or any other mandatory reporting statutes, and if the health care provider knows of such a report of abuse or neglect, then unless the report has been determined to be unsubstantiated or unfounded, or a determination of abuse was finally reversed after administrative or judicial review, the person reported as the alleged perpetrator of the abuse or neglect shall not be given priority or authority to make health care decisions under subsection 1 of this section, provided that such a report shall not be based on the person's support for, or direction to provide, health care to the patient;

(2) If the patient's physician or the physician's designee reasonably determines, after making a diligent effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is not reasonably available to make medical decisions as needed or is not willing to make health care decisions for the patient;
or

(3) If a probate court in a proceeding under subsection 8 of this section finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

5. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker, and the probate court in any proceeding under subsection 8 of this section, shall always make health care decisions in the patient's best interests, and if the patient's religious and moral beliefs and health care preferences are known, in accordance with those beliefs and preferences.

6. This section does not authorize the provision or withholding of health care services that the patient has unambiguously, without subsequent contradiction or change of instruction, expressed that he or she would or would not want at a time when such patient had capacity. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under subsection 8 of this section to dispute its accuracy, weight, or interpretation.

7. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

8. Nothing in sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed in subsection 1 of this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient including expedited adjudication under chapter 475.

9. Pending the final outcome of proceedings initiated under subsection 8 of this section, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw, or direct the withholding or withdrawal, of health care, nutrition, or hydration whose withholding or withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it, and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the

pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth in subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only when the physician and a second licensed physician certify in the patient's medical record based on reasonable medical judgment that:

(1) Artificially supplied nutrition or hydration are not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and where death will occur within a short period of time whether or not such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

3. The provisions of this section shall not apply to subsection 3 of section 459.010.

404.1106. If any of the individuals specified in section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. No health care provider or health care facility that makes good faith and reasonable attempts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for any act or omission related to his or her or its effort to identify, locate, and communicate with or act upon any decision by or for such actual or potential designated health care decision-makers.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of a health care provider or health care facility.

2. If at any time, a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care

facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth in section 459.025.

404.1110. Nothing in sections 404.1100 to 404.1110 is intended to:

- (1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or
- (2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, Section 338.202, Line 13, by inserting immediately after all of said lines the following:

“376.2029. The legislature declares it a matter of public interest:

(1) That patients be exempt from step therapy protocols if inappropriate or otherwise not in the best interest of the patient;

(2) That patients, through their health care providers, have access to a fair, transparent, and independent process for requesting an exception to a step therapy protocol if the patient's health care provider deems such exception appropriate; and

(3) That patients and health care providers receive a timely determination from health carriers and health benefit plans on requests for an exception to a step therapy protocol.

376.2030. As used in sections 376.2030 to 376.2036, the following terms mean:

- (1) “Emergency medical condition”, the same meaning as such term is defined in section 376.1350;
- (2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;

(3) “Health care provider”, the same meaning as such term is defined in section 376.1350;

(4) “Health carrier”, the same meaning as such term is defined in section 376.1350;

(5) “Step therapy override exception determination”, a determination as to whether a step therapy protocol should apply in a particular situation, or whether the step therapy protocol should be overridden in favor of immediate coverage of the health care provider’s preferred prescription drug. Such determination shall be based on a review of the patient’s or health care provider’s request for an override, along with supporting rationale and documentation;

(6) “Step therapy override exception request”, a written or electronic request from a patient’s health care provider for the step therapy protocol to be overridden in favor of immediate coverage of the health care provider’s preferred prescription drug. The manner and form of the request shall be disclosed to the patient and health care provider as provided under section 376.2034;

(7) “Step therapy protocol”, a protocol or program that establishes a specific sequence in which prescription drugs for a specified medical condition and medically appropriate for a particular patient are to be prescribed and covered by a health carrier or health benefit plan;

(8) “Utilization review organization”, an entity that conducts utilization review other than an insurer or health carrier performing utilization review for its own health benefit plans.

376.2034. 1. If coverage of a prescription drug for the treatment of any medical condition is restricted for use by a health carrier, health benefit plan, or utilization review organization via a step therapy protocol, a patient and his or her health care provider shall have access to a readily accessible process to request a step therapy override exception determination. A health carrier, health benefit plan, or utilization review organization may use its existing medical exceptions process to satisfy this requirement. The process shall be disclosed to the patient and health care provider, which shall include the necessary documentation needed to process such request and be made available on the health carrier plan or health benefit plan website.

2. A step therapy override exception request shall be expeditiously granted if:

(1) The required prescription drug is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) The required prescription drug is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) The patient has tried the step therapy required prescription drug while under his or her current or previous health insurance or health benefit plan, and the use of such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event;

(4) The patient has tried a prescription drug in the same therapeutic class as the step therapy required prescription drug or with a similar mechanism of action that would generally possess a comparable potency. Pharmacy drug samples shall not be considered trial and failure of a preferred prescription drug in lieu of trying the step therapy required prescription drug; or

(5) The step therapy required prescription drug is not in the best interest of the patient based on

medical necessity.

3. The health carrier, health benefit plan, or utilization review organization may request relevant documentation from the health care provider to support the override exception request, including the results of any clinical evaluation or evidence that the patient has tried the step therapy required prescription drug and the use of such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event.

4. Upon granting a step therapy override exception request, the health carrier, health benefit plan, or utilization review organization shall authorize dispensation of and coverage for the prescription drug prescribed by the patient's treating health care provider, provided such drug is a covered drug under such policy or plan.

5. (1) The health carrier, health benefit plan, or utilization review organization shall:

(a) Acknowledge receipt of a step therapy override exception request and indicate if relevant supporting documentation is needed within one business day of receipt of the request;

(b) If supporting documentation is not needed, grant or deny the step therapy override exception request within three business days of receipt of the request; and

(c) If supporting documentation is needed, grant or deny the step therapy override exception request within three business days of receipt of the supporting documentation.

(2) If an emergency medical condition exists, a health carrier, health benefit plan, or utilization review organization shall:

(a) Acknowledge receipt of a step therapy override exception request and indicate if relevant supporting documentation is needed within one business day of receipt of the request;

(b) If supporting documentation is not needed, grant or deny the step therapy override exception request within one business day of receipt of the request; and

(c) If supporting documentation is needed, grant or deny the step therapy override exception request within one business day of receipt of the supporting documentation.

(3) If an insurer, health plan, or utilization review organization does not grant or deny the step therapy override exception request within the time allotted under this subsection, the step therapy override exception request shall be deemed granted.

(4) If an insurer, health plan, or utilization review organization denies a step therapy override exception request, the insurer, health benefit plan, or utilization review organization shall provide notification of the denial and a detailed explanation of the reason for the denial to the patient and health care provider. Such detailed explanation shall include the clinical rationale that supports the denial of the step therapy override exception request, if applicable. Upon denial of a step therapy override exception request, the requesting health care provider, on behalf of the patient, shall be given an opportunity to request a reconsideration of the denial as provided under section 376.1365.

6. This section shall not be construed to prevent:

(1) A health carrier, health benefit plan, or utilization review organization from requiring a

patient to try an A/B rated generic equivalent or other branded prescription drug prior to providing coverage for the requested branded prescription drug; or

(2) A health care provider from prescribing a prescription drug he or she determines is medically appropriate.

376.2036. 1. The director of the department of insurance, financial institutions and professional registration shall grant a health carrier, health benefit plan, or utilization review organization a waiver from the provisions of sections 376.2030 to 376.2036 if the health carrier, health benefit plan, or utilization review organization demonstrates to the director by actual experience, which is certified by an independent member of the American Academy of Actuaries, over any consecutive twenty-four-month period that compliance with sections 376.2030 to 376.2036 has independently increased the cost of its health insurance policies or health benefit plans by an amount that results in an increase in premium costs to the health carrier, health benefit plan, or utilization review organization greater than the medical inflation rate for such twenty-four-month period. The data provided in support of the waiver and certified by the independent actuary shall demonstrate that the increased costs are attributable to the provisions of sections 376.2030 to 376.2036.

2. The provisions of sections 376.2030 to 376.2036 shall apply only to health insurance policies and health benefit plans delivered, issued for delivery, or renewed on or after January 1, 2018.

3. Notwithstanding any law to the contrary, the department of insurance, financial institutions and professional registration shall promulgate any regulations necessary to enforce sections 376.2030 to 376.2036. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 2, Line 39, by deleting said line and inserting in lieu thereof the following:

“ a durable power of health care pursuant to sections 404.800 to 404.872.

197.315. 1. Any person who proposes to develop or offer a new institutional health service within the state must obtain a certificate of need from the committee prior to the time such services are offered.

2. Only those new institutional health services which are found by the committee to be needed shall be granted a certificate of need. Only those new institutional health services which are granted certificates of need shall be offered or developed within the state. No expenditures for new institutional health services in excess of the applicable expenditure minimum shall be made by any person unless a certificate of need has been granted.

3. After October 1, 1980, no state agency charged by statute to license or certify health care facilities shall issue a license to or certify any such facility, or distinct part of such facility, that is developed without obtaining a certificate of need.

4. If any person proposes to develop any new institutional health care service without a certificate of need as required by sections 197.300 to 197.366, the committee shall notify the attorney general, and he shall apply for an injunction or other appropriate legal action in any court of this state against that person.

5. After October 1, 1980, no agency of state government may appropriate or grant funds to or make payment of any funds to any person or health care facility which has not first obtained every certificate of need required pursuant to sections 197.300 to 197.366.

6. A certificate of need shall be issued only for the premises and persons named in the application and is not transferable except by consent of the committee.

7. Project cost increases, due to changes in the project application as approved or due to project change orders, exceeding the initial estimate by more than ten percent shall not be incurred without consent of the committee.

8. Periodic reports to the committee shall be required of any applicant who has been granted a certificate of need until the project has been completed. The committee may order the forfeiture of the certificate of need upon failure of the applicant to file any such report.

9. A certificate of need shall be subject to forfeiture for failure to incur a capital expenditure on any approved project within six months after the date of the order. The applicant may request an extension from the committee of not more than six additional months based upon substantial expenditure made.

10. Each application for a certificate of need must be accompanied by an application fee. The time of filing commences with the receipt of the application and the application fee. The application fee is one thousand dollars, or one-tenth of one percent of the total cost of the proposed project, whichever is greater. All application fees shall be deposited in the state treasury. Because of the loss of federal funds, the general assembly will appropriate funds to the Missouri health facilities review committee.

11. In determining whether a certificate of need should be granted, no consideration shall be given to the facilities or equipment of any other health care facility located more than a fifteen-mile radius from the applying facility.

12. When a nursing facility shifts from a skilled to an intermediate level of nursing care, it may return to the higher level of care if it meets the licensure requirements, without obtaining a certificate of need.

13. In no event shall a certificate of need be denied because the applicant refuses to provide abortion services or information.

14. A certificate of need shall not be required for the transfer of ownership of an existing and operational health facility in its entirety.

15. A certificate of need may be granted to a facility for an expansion, an addition of services, a new institutional service, or for a new hospital facility which provides for something less than that which was sought in the application.

16. The provisions of this section shall not apply to facilities operated by the state, and appropriation

of funds to such facilities by the general assembly shall be deemed in compliance with this section, and such facilities shall be deemed to have received an appropriate certificate of need without payment of any fee or charge. **The provisions of this subsection shall not apply to hospitals operated by the state and licensed under chapter 197, except for department of mental health state-operated psychiatric hospitals.**

17. Notwithstanding other provisions of this section, a certificate of need may be issued after July 1, 1983, for an intermediate care facility operated exclusively for the intellectually disabled.

18. To assure the safe, appropriate, and cost-effective transfer of new medical technology throughout the state, a certificate of need shall not be required for the purchase and operation of:

(1) Research equipment that is to be used in a clinical trial that has received written approval from a duly constituted institutional review board of an accredited school of medicine or osteopathy located in Missouri to establish its safety and efficacy and does not increase the bed complement of the institution in which the equipment is to be located. After the clinical trial has been completed, a certificate of need must be obtained for continued use in such facility; or

(2) **Equipment that is to be used by an academic health center operated by the state in furtherance of its research or teaching missions .”; and”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Lines 2-3, by deleting the words “dispensing maintenance medication”; and inserting the words “health care”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“191.1150. 1. This section shall be known as the “Caregiver, Advise, Record, and Enable (CARE) Act”.

2. As used in this section, the following terms shall mean:

(1) **“After-care”, assistance that is provided by a caregiver to a patient after the patient’s discharge from a hospital that is related to the condition of the patient at the time of discharge, including assisting with activities of daily living, as defined in section 198.006; instrumental activities of daily living, as defined in section 198.006; or carrying out medical or nursing tasks as permitted by law;**

(2) **“Admission”, a patient’s admission into a hospital as an in-patient;**

(3) **“Ambulatory surgical center”, as defined in section 197.200;**

(4) **“Caregiver”, an individual who is eighteen years of age or older, is duly designated as a caregiver by a patient pursuant to this section, and who provides after-care assistance to such patient in the patient’s residence;**

(5) **“Discharge”, a patient’s release from a hospital or an ambulatory surgical center to the patient’s residence following an admission;**

(6) “Hospital”, as defined in section 197.020;

(7) “Residence”, a dwelling that the patient considers to be his or her home. “Residence” shall not include:

(a) A facility, as defined in section 198.006;

(b) A hospital, as defined in section 197.020;

(c) A prison, jail, or other detention or correctional facility operated by the state or a political subdivision;

(d) A residential facility, as defined in section 630.005;

(e) A group home or developmental disability facility, as defined in section 633.005; or

(f) Any other place of habitation provided by a public or private entity which bears legal or contractual responsibility for the care, control, or custody of the patient and which is compensated for doing so.

3. A hospital or ambulatory surgical center shall provide each patient or, if applicable, the patient’s legal guardian with an opportunity to designate a caregiver following the patient’s admission into a hospital or entry into an ambulatory surgical center and prior to the patient’s discharge. Such designation shall include a written consent of the patient or the patient’s legal guardian to release otherwise confidential medical information to the designated caregiver if such medical record would be needed to enable the completion of after-care tasks. The written consent shall be in compliance with federal and state laws concerning the release of personal health information. Prior to discharge, a patient may elect to change his or her caregiver in the event that the original designated caregiver becomes unavailable, unwilling, or unable to care for the patient. Designation of a caregiver by a patient or a patient’s legal guardian does not obligate any person to arrange or perform any after-care tasks for the patient.

4. The hospital or ambulatory surgical center shall document the patient’s or the patient’s legal guardian’s designation of caregiver, the relationship of the caregiver to the patient, and the caregiver’s available contact information.

5. If the patient or the patient’s legal guardian declines to designate a caregiver, the hospital or ambulatory surgical center shall document such information.

6. The hospital or ambulatory surgical center shall notify a patient’s caregiver of the patient’s discharge or transfer to another facility as soon as practicable, which may be after the patient’s physician issues a discharge order. In the event that the hospital or ambulatory surgical center is unable to contact the designated caregiver, the lack of contact shall not interfere with, delay, or otherwise affect the medical care provided to the patient or an appropriate discharge of the patient. The hospital or ambulatory surgical center shall document the attempt to contact the caregiver.

7. Prior to being discharged, if the hospital or ambulatory surgical center is able to contact the caregiver and caregiver is willing to assist, the hospital or ambulatory surgical center shall provide the caregiver with the patient’s discharge plan, if such plan exists, or instructions for the after-care needs of the patient and give the caregiver the opportunity to ask questions about the after-care needs

of the patient.

8. A hospital or ambulatory surgical center is not required nor obligated to determine the ability of a caregiver to understand or perform any of the after-care tasks outlined in this section.

9. Nothing in this section shall authorize or require compensation of a caregiver by a state agency or a health carrier, as defined in section 376.1350.

10. Nothing in this section shall require a hospital or ambulatory surgical center to take actions that are inconsistent with the standards of the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations or the standards of a national accrediting organization with deeming authority under Section 1865(a)(1) of the Social Security Act.

11. Nothing in this section shall create a private right of action against a hospital, ambulatory surgical center, a hospital or ambulatory surgical center employee, or an individual with whom a hospital or ambulatory surgical center has a contractual relationship.

12. A hospital, ambulatory surgical center, hospital or ambulatory surgical center employee, or an individual with whom a hospital or ambulatory surgical center has a contractual relationship shall not be liable in any way for an act or omission of the caregiver.

13. No act or omission under this section by a hospital, ambulatory surgical center, hospital or ambulatory surgical center employee, or an individual with whom a hospital or ambulatory surgical center has a contractual relationship shall give rise to a citation, sanction, or any other adverse action by any licensing authority to whom such individual or entity is subject.

14. Nothing in this section shall be construed to interfere with the rights of an attorney in fact under a durable power of health care pursuant to sections 404.800 to 404.872.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Lines 2 and 3, by deleting the words “dispensing maintenance medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“334.1200. PURPOSE

The purpose of this compact is to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This compact is designed to achieve the following objectives:

1. Increase public access to physical therapy services by providing for the mutual recognition of

other member state licenses;

2. Enhance the states' ability to protect the public's health and safety;
3. Encourage the cooperation of member states in regulating multistate physical therapy practice;
4. Support spouses of relocating military members;
5. Enhance the exchange of licensure, investigative, and disciplinary information between member states; and
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

334.1203. DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall apply:

1. "Active Duty Military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.
2. "Adverse Action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.
3. "Alternative Program" means a nondisciplinary monitoring or practice remediation process approved by a physical therapy licensing board. This includes, but is not limited to, substance abuse issues.
4. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules. The practice of physical therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.
5. "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.
6. "Data system" means a repository of information about licensees, including examination, licensure, investigative, compact privilege, and adverse action.
7. "Encumbered license" means a license that a physical therapy licensing board has limited in any way.
8. "Executive Board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.
9. "Home state" means the member state that is the licensee's primary state of residence.
10. "Investigative information" means information, records, and documents received or generated by a physical therapy licensing board pursuant to an investigation.
11. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a state.

12. “Licensee” means an individual who currently holds an authorization from the state to practice as a physical therapist or to work as a physical therapist assistant.

13. “Member state” means a state that has enacted the compact.

14. “Party state” means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.

15. “Physical therapist” means an individual who is licensed by a state to practice physical therapy.

16. “Physical therapist assistant” means an individual who is licensed/certified by a state and who assists the physical therapist in selected components of physical therapy.

17. “Physical therapy”, “physical therapy practice”, and “the practice of physical therapy” mean the care and services provided by or under the direction and supervision of a licensed physical therapist.

18. “Physical therapy compact commission” or “commission” means the national administrative body whose membership consists of all states that have enacted the compact.

19. “Physical therapy licensing board” or “licensing board” means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

20. “Remote state” means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

21. “Rule” means a regulation, principle, or directive promulgated by the commission that has the force of law.

22. “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of physical therapy.

334.1206. STATE PARTICIPATION IN THE COMPACT

A. To participate in the compact, a state must:

1. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

2. Have a mechanism in place for receiving and investigating complaints about licensees;

3. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

4. Fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions in accordance with section 334.1206.B.;

5. Comply with the rules of the commission;

6. Utilize a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

7. Have continuing competence requirements as a condition for license renewal.

B. Upon adoption of sections 334.1200 to 334.1233, the member state shall have the authority to obtain biometric-based information from each physical therapy licensure applicant and submit this information to the Federal Bureau of Investigation for a criminal background check in accordance with 28 U.S.C. Section 534 and 42 U.S.C. Section 14616.

C. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

D. Member states may charge a fee for granting a compact privilege.

334.1209. COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

1. Hold a license in the home state;

2. Have no encumbrance on any state license;

3. Be eligible for a compact privilege in any member state in accordance with section 334.1209D, G and H;

4. Have not had any adverse action against any license or compact privilege within the previous 2 years;

5. Notify the commission that the licensee is seeking the compact privilege within a remote state(s);

6. Pay any applicable fees, including any state fee, for the compact privilege;

7. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege; and

8. Report to the commission adverse action taken by any nonmember state within thirty days from the date the adverse action is taken.

B. The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of section 334.1209.A. to maintain the compact privilege in the remote state.

C. A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

D. A licensee providing physical therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

E. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

1. The home state license is no longer encumbered; and
2. Two years have elapsed from the date of the adverse action.

F. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of section 334.1209A to obtain a compact privilege in any remote state.

G. If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact privilege in any remote state until the following occur:

1. The specific period of time for which the compact privilege was removed has ended;
2. All fines have been paid; and
3. Two years have elapsed from the date of the adverse action.

H. Once the requirements of section 334.1209G have been met, the license must meet the requirements in section 334.1209A to obtain a compact privilege in a remote state.

334.1212. ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may designate one of the following as the home state:

- A. Home of record;
- B. Permanent change of station (PCS); or
- C. State of current residence if it is different than the PCS state or home of record.

334.1215. ADVERSE ACTIONS

A. A home state shall have exclusive power to impose adverse action against a license issued by the home state.

B. A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

C. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

D. Any member state may investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist or physical therapist assistant holds a license or compact privilege.

E. A remote state shall have the authority to:

1. Take adverse actions as set forth in section 334.1209.D. against a licensee's compact privilege in the state;
2. Issue subpoenas for both hearings and investigations that require the attendance and testimony

of witnesses, and the production of evidence. Subpoenas issued by a physical therapy licensing board in a party state for the attendance and testimony of witnesses, and/or the production of evidence from another party state, shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses and/or evidence are located; and

3. If otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

F. Joint Investigations

1. In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

334.1218. ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION.

A. The compact member states hereby create and establish a joint public agency known as the physical therapy compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one delegate selected by that member state's licensing board.

2. The delegate shall be a current member of the licensing board, who is a physical therapist, physical therapist assistant, public member, or the board administrator.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring in the commission.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

C. The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Maintain its financial records in accordance with the bylaws;

4. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

5. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

6. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law shall not be affected;

7. Purchase and maintain insurance and bonds;

8. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

9. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

10. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an executive board; and

18. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of physical therapy licensure and practice.

D. The Executive Board

The executive board shall have the power to act on behalf of the commission according to the terms of this compact.

1. The executive board shall be comprised of nine members:

a. Seven voting members who are elected by the commission from the current membership of the commission;

b. One ex officio, nonvoting member from the recognized national physical therapy professional association; and

c. One ex officio, nonvoting member from the recognized membership organization of the physical therapy licensing boards.

2. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive board as provided in bylaws.

4. The executive board shall meet at least annually.

5. The executive board shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of member states and provide compliance reports to the commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

E. Meetings of the Commission

1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1224.

2. The commission or the executive board or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive board or other committees of the commission must discuss:

a. Noncompliance of a member state with its obligations under the compact;

b. The employment, compensation, discipline or other matters, practices or procedures related

to specific employees or other matters related to the commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

F. Financing of the Commission

1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

G. Qualified Immunity, Defense, and Indemnification

1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

334.1221. DATA SYSTEM

A. The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;

4. Nonconfidential information related to alternative program participation;

5. Any denial of application for licensure, and the reason(s) for such denial; and

6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

C. Investigative information pertaining to a licensee in any member state will only be available to other party states.

D. The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

334.1224. RULEMAKING

A. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

C. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

D. Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

1. On the website of the commission or other publicly accessible platform; and

2. On the website of each member state physical therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

E. The notice of proposed rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

2. The text of the proposed rule or amendment and the reason for the proposed rule;

3. A request for comments on the proposed rule from any interested person; and

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

F. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data,

facts, opinions, and arguments, which shall be made available to the public.

G. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

- 1. At least twenty-five persons;**
- 2. A state or federal governmental subdivision or agency; or**
- 3. An association having at least twenty-five members.**

H. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

I. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

J. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

K. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

L. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- 1. Meet an imminent threat to public health, safety, or welfare;**
- 2. Prevent a loss of commission or member state funds;**
- 3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or**
- 4. Protect public health and safety.**

M. The commission or an authorized committee of the commission may direct revisions to a

previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1227. OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

B. Default, Technical Assistance, and Termination

1. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities

incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

C. Dispute Resolution

1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement

1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1230. DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

B. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

C. Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this compact shall be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1233. CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Lines 2 and 3, by deleting the words “dispensing maintenance medication” and inserting in lieu thereof the words “prescription medication”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“195.430. 1. There is hereby established in the state treasury the “Controlled Substance Abuse Prevention Fund”, which shall consist of all fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. All fees authorized to be charged by the department shall be transmitted to the department of

revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and to prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.

195.435. The bureau of narcotics and dangerous drugs shall employ no less than one investigator for every two thousand five hundred controlled substance registrants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 2, Line 34, by deleting all of said line and inserting in lieu thereof the following:

“code of state regulations.

338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for persons twelve years of age or older as authorized by rule or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; **the prescribing and dispensing of self-administered oral hormonal contraceptives under section 338.660**; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. “Veterinarian”, “doctor of veterinary medicine”, “practitioner of veterinary medicine”, “DVM”, “VMD”, “BVSe”, “BVMS”, “BSe (Vet Science)”, “VMB”, “MRCVS”, or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

- (1) The identity of the patient;
- (2) The identity of the vaccine or vaccines administered;
- (3) The route of administration;
- (4) The anatomic site of the administration;
- (5) The dose administered; and
- (6) The date of administration.”; and

Further amend said bill and page, Section 338.202, Line 13, by inserting after all of said section and line the following:

“338.660. 1. For purposes of this chapter, “self-administered oral hormonal contraceptive” shall mean a drug composed of a combination of hormones that is approved by the Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may take orally.

2. A pharmacist may prescribe and dispense self-administered oral hormonal contraceptives to a person who is:

(1) Eighteen years of age or older, regardless of whether the person has evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a self-administered oral hormonal contraceptive; or

(2) Under eighteen years of age, if the person has evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a self-administered oral hormonal

contraceptive.

3. The board of pharmacy shall adopt rules, in consultation with the board of registration for the healing arts, board of nursing, and department of health and senior services, and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists, to establish standard procedures for the prescribing of self-administered oral hormonal contraceptives by pharmacists. The board of pharmacy shall adopt rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

4. The rules adopted under this section shall require a pharmacist to:

(1) Complete a training program approved by the board of pharmacy that is related to prescribing self-administered oral hormonal contraceptives;

(2) Provide a self-screening risk assessment tool that the patient shall use prior to the pharmacist's prescribing the self-administered oral hormonal contraceptive;

(3) Refer the patient to the patient's primary care practitioner or women's health care practitioner upon prescribing and dispensing the self-administered oral hormonal contraceptive;

(4) Provide the patient with a written record of the self-administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women's health care practitioner; and

(5) Dispense the self-administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

5. The rules adopted under this section shall prohibit a pharmacist from:

(1) Requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a self-administered oral hormonal contraceptive; and

(2) Prescribing and dispensing a self-administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women's health within the three years immediately following the initial prescription and dispensation of a self-administered oral hormonal contraceptive by a pharmacist to the patient.

6. All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services shall apply to self-administered oral hormonal contraceptives prescribed by a pharmacist under this section.

376.1240. 1. For purposes of this section, the terms "health carrier" and "health benefit plan" shall have the same meaning as defined in section 376.1350. The term "prescription contraceptive" shall mean a drug or device that requires a prescription and is approved by the Food and Drug

Administration to prevent pregnancy.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2017, and that provides coverage for prescription contraceptives shall provide coverage to reimburse a health care provider or dispensing entity for a dispensation of a ninety-day supply of prescription contraceptives to an insured.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, Page 1, In the Title, Lines 2-3, by deleting the words “dispensing maintenance medication” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“197.065. 1. The department of health and senior services shall promulgate regulations for the construction and renovation of hospitals that include life safety code standards for hospitals that exclusively reflect the life safety code standards imposed by the federal Medicare program under Title XVIII of the Social Security Act and its conditions of participation in the Code of Federal Regulations.

2. The department shall not require a hospital to meet the standards contained in the Facility Guidelines Institute for the Design and Construction of Health Care Facilities but any hospital that complies with the 2010 or later version of such guidelines for the construction and renovation of hospitals shall not be required to comply with any regulation that is inconsistent or conflicts in any way with such guidelines.

3. The department may waive enforcement of the standards for licensed hospitals imposed by this section if the department determines that:

(1) Compliance with those specific standards would result in unreasonable hardship for the facility and if the health and safety of hospital patients would not be compromised by such waiver or waivers; or

(2) The hospital has used other standards that provide for equivalent design criteria.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that conflict with the standards established under subsections 1 and 3 of this section shall lapse on and after January 1, 2018.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill and page, Section 338.202, Line 13, by inserting immediately after all of said line the following:

“536.031. 1. There is established a publication to be known as the “Code of State Regulations”, which shall be published in a format and medium as prescribed and in writing upon request by the secretary of state as soon as practicable after ninety days following January 1, 1976, and may be republished from time to time thereafter as determined by the secretary of state.

2. The code of state regulations shall contain the full text of all rules of state agencies in force and effect upon the effective date of the first publication thereof, and effective September 1, 1990, it shall be revised no less frequently than monthly thereafter so as to include all rules of state agencies subsequently made, amended or rescinded. The code may also include citations, references, or annotations, prepared by the state agency adopting the rule or by the secretary of state, to any intraagency ruling, attorney general’s opinion, determination, decisions, order, or other action of the administrative hearing commission, or any determination, decision, order, or other action of a court interpreting, applying, discussing, distinguishing, or otherwise affecting any rule published in the code.

3. The code of state regulations shall be published in looseleaf form in one or more volumes upon request and a format and medium as prescribed by the secretary of state with an appropriate index, and revisions in the text and index may be made by the secretary of state as necessary and provided in written format upon request.

4. An agency may incorporate by reference rules, regulations, standards, and guidelines of an agency of the United States or a nationally or state-recognized organization or association without publishing the material in full. The reference in the agency rules shall fully identify the incorporated material by publisher, address, and date in order to specify how a copy of the material may be obtained, and shall state that the referenced rule, regulation, standard, or guideline does not include any later amendments or additions; **except that, hospital licensure regulations governing life safety code standards promulgated under this chapter and chapter 197 to implement section 197.065 may incorporate, by reference, later additions or amendments to such rules, regulations, standards, or guidelines as needed to consistently apply current standards of safety and practice.** The agency adopting a rule, regulation, standard, or guideline under this section shall maintain a copy of the referenced rule, regulation, standard, or guideline at the headquarters of the agency and shall make it available to the public for inspection and copying at no more than the actual cost of reproduction. The secretary of state may omit from the code of state regulations such material incorporated by reference in any rule the publication of which would be unduly cumbersome or expensive.

5. The courts of this state shall take judicial notice, without proof, of the contents of the code of state regulations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 823**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1582, introduced by Representative Kelley, with **SCS**, entitled:

An Act to repeal section 143.221, RSMo, and to enact in lieu thereof one new section relating to withholding tax returns.

Was called from the Informal Calendar and taken up by Senator Kraus.

SCS for **HB 1582**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1582

An Act to repeal sections 143.221 and 143.591, RSMo, and to enact in lieu thereof two new sections relating to withholding tax returns.

Was taken up.

Senator Kraus moved that **SCS** for **HB 1582** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **HB 1582** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Anna E. Crosslin, Democrat, as a member of the Missouri Commission on Human Rights;

Also,

Rhonda L. Mammen and Jill L. Patterson, as members of the Child Abuse and Neglect Review Board;

Also,

Tyree Davis, as a student representative of the Missouri State University Board of Governors;

Also,

Harvey Richards, as a member of the Missouri Brain Injury Advisory Council;

Also,

Renee T. Slusher, as a member of the Administrative Hearing Commission;

Also,

Eric D. Davis, Jr., as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects;

Also,

Connie J. Cierpiot, as a member of the Missouri State Board of Chiropractic Examiners;

Also,

William T. Kane, as a member of the Missouri Dental Board;

Also,

John Casey Martin, Democrat and M. Blake Heath, Republican, as members of the Kansas City Board of Election Commissioners;

Also,

Samuel P. Murphey, Democrat and Michael D. Thomson, Republican, as members of the Coordinating Board for Higher Education;

Also,

Kimberly Benjamin, Democrat and George Rattermann, Republican, as members of the Missouri Ethics Commission;

Also,

Joseph Kellogg, as a student representative of the Missouri Western State University Board of Governors;

Also,

William A. Wallace, as a member of the Missouri Veterans' Commission;

Also,

Karl Wilson, as a member of the Mental Health Commission;

Also,

James P. Ford, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees;

Also,

Matthew L. Dameron, Democrat and John E. Mehner, Republican, as members of the Missouri Development Finance Board;

Also,

Jimmie Lee Wells, Democrat and Martin Rucker, Democrat, as members of the Board of Probation and Parole;

Also,

Mary Dandurand, Democrat and Marvin Wright, Democrat, as members of the University of Central Missouri Board of Governors;

Also,

Brian Jamison, Republican, as a member of the Missouri Gaming Commission; and

Marvin O. Teer, Jr., Democrat, as a member of the Lincoln University Board of Curators.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Senator Schaaf requested the committee reports on Matthew L. Dameron and John E. Mehner, as members of the Missouri Development Finance Board, be voted on separately, which request was granted.

Senator Richard requested unanimous consent of the Senate to vote on the remaining committee reports in one motion, which request was granted.

Senator Richard moved that the remaining committee reports be adopted and the Senate do give its advice and consent to said appointments, which motion prevailed.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of Matthew L. Dameron, Democrat, as a member of the Missouri Development Finance Board, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Schaaf requested a roll call vote be taken. He was joined in his request by Senators Hegeman, Richard, Romine and Silvey.

Senator Holsman moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Emery	Hegeman	Kraus	Onder	Schaaf—6
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments to which was referred the appointment of John E. Mehner, Republican, as a member of the Missouri Development Finance Board, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Wallingford moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

PRIVILEGED MOTIONS

Senator Walsh moved that the Senate refuse to concur in **HCS** for **SB 625**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 864**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Wieland moved that **HCS** for **HB 1432**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Chappelle-Nadal, the above amendment was withdrawn.

At the request of Senator Wieland, **SS** for **SCS** for **HCS** for **HB 1432** was withdrawn.

Senator Wieland offered **SS No. 2** for **SCS** for **HCS** for **HB 1432**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1432

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave.

Senator Schaaf assumed the Chair.

Senator Wieland moved that **SS No. 2** for **SCS** for **HCS** for **HB 1432** be adopted, which motion prevailed.

On motion of Senator Wieland, **SS No. 2** for **SCS** for **HCS** for **HB 1432** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1862**, entitled:

An Act to repeal sections 534.350, 534.360, 535.030, 535.110, 535.160, and 535.300, RSMo, and to enact in lieu thereof five new sections relating to landlords and tenants.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 1862**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1862

An Act to repeal sections 534.350, 534.360, 535.030, 535.110, 535.160, and 535.300, RSMo, and to enact in lieu thereof five new sections relating to landlords and tenants.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1862** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 1862**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1862

An Act to repeal sections 534.350, 534.360, 535.030, 535.110, 535.160, and 535.300, RSMo, and to enact in lieu thereof five new sections relating to landlords and tenants.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 1862** be adopted.

At the request of Senator Schaefer, **HCS** for **HB 1862**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Hegeman moved that the conferees on **HCS** for **SB 635**, as amended, be allowed to exceed the differences on section 167.950, which motion prevailed.

Senator Riddle moved that the Senate refuse to concur in **HA 1, HA 2, HA 3, HA 4, HA 5**, as amended, **HA 6, HA 7, HA 8, HA 9** and **HA 10** to **SCS** for **SB 638** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 973**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1561**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 2153, regarding Harold William Barklage, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 2154, regarding Jerry Lee Roberts, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 2155, regarding Kenneth Dale “Ken” Cox, St. Peters,

which was adopted.

Senator Onder offered Senate Resolution No. 2156, regarding Joseph K. “Joe” Hogan, St. Charles, which was adopted.

Senator Walsh offered Senate Resolution No. 2157, regarding Jonathan E. Connally, St. Joseph, which was adopted.

Senator Walsh offered Senate Resolution No. 2158, regarding Mitchell McGill, Highland, IL, which was adopted.

Senator Walsh offered Senate Resolution No. 2159, regarding Thomas E. Deem, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 2160, regarding Richard Thomas Gebken, Florissant, which was adopted.

Senator Schmitt offered Senate Resolution No. 2161, regarding Samantha Elizabeth Yun Lovett, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 2162, regarding Calle West Uerling, Kirkwood, which was adopted.

Senator Kehoe offered Senate Resolution No. 2163, regarding Eagle Scout Theodore “Teddy” Porting, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2164, regarding Eagle Scout James M. “Jim” Donovan, Jefferson City, which was adopted.

Senator Brown offered Senate Resolution No. 2165, regarding Jesse Liu, Rolla, which was adopted.

Senator Richard offered Senate Resolution No. 2166, regarding Tyler Eads, Neosho, which was adopted.

Senator Sifton offered Senate Resolution No. 2167, regarding Danny “Dan” Matthews, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 2168, regarding Joseph Henry “Joe” Bisher, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 2169, regarding Vivika Pandian, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for Senate Bill Nos. 586 and 651, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call pertaining to Senate Committee Substitute for Senate Bill Nos. 586 and 651.

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Eggleston	Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Green
Haahr	Haefner	Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Kelley	Kidd	King	Koenig	Kolkmeier	Korman
LaFaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pietzman
Pike	Plocher	Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Walker	White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker						

NOES: 43

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	Gardner	Harris	Hubbard
Kendrick	Kirkton	Kratky	Lavender	Marshall	May	McCann Beatty
McCreery	McDaniel	McDonald	McGee	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Rowland 29	Runions	Walton Gray
Webber						

ABSENT: 6

Black	Hummel	Mims	Redmon	Smith	Vescovo
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 2017** and has taken up and passed **SCS** for **HCS** for **HB 2017**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 2018** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2018**.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 2379**, with **SCS**; **HCS** for **HB 2402**, with **SCS**; and **HB 1816**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Parson moved that **HCS** for **SB 665**, as amended, be taken up for 3rd reading and final passage,

which motion prevailed.

SB 665, with **HCS**, as amended, was taken up.

Senator Pearce assumed the Chair.

Senator Onder assumed the Chair.

Senator Parson moved that **HCS** for **SB 665**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Emery	Kraus	Onder	Schaaf	Sifton—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, **HCS** for **SB 665**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Emery	Kraus	Onder	Schaaf	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Munzlinger moved that **SS** for **SCS** for **SB 657**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 657**, as amended, was taken up.

Senator Munzlinger moved that **HCS** for **SS** for **SCS** for **SB 657**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Curls	Dixon	Hegeman	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Schaefer	Schmitt	Schupp	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Cunningham	Emery	Kraus	Sater	Schaaf	Schatz
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, **HCS** for **SS** for **SCS** for **SB 657**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Curls	Dixon	Hegeman	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schmitt	Schupp	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Cunningham	Emery	Kraus	Schaaf	Schatz	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 98**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 2 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to life.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 640**, entitled:

An Act to repeal sections 301.067, 301.560, 301.564, 304.154, and 304.170, RSMo, and to enact in lieu thereof eight new sections relating to vehicles, with penalty provisions.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 2 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 640, Page 11, Section 304.154, Line 7, by deleting the word, “**twelve**” and inserting in lieu thereof the word, “**eight**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 640, Page 2, Section 301.125, Line 26, by inserting immediately after all of said line the following:

“301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words “SHOW-ME STATE”, the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the National Guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state

highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle.

The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of [eighteen] **twenty-four** thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for [eighteen] **twenty-four** thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030. **On and after August 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or commercial motor vehicles licensed in excess of twenty-four thousand pounds gross weight, may apply for any preexisting or hereafter statutorily created special personalized license plates.**

9. No later than January 1, [2009] **2019**, the director of revenue shall commence the reissuance of new license plates of such design as [directed by the director] **approved by the advisory committee under section 301.125** consistent with the terms, conditions, and provisions of [this] section **301.125** and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Bill No. 640, Page 6, Line 36, by deleting all of said line and inserting in lieu thereof the following:

“(b) National Sex Offender Registry database;

On or after August 28, 2019, the department of revenue may require a transportation network company to conduct or have a third party conduct a fingerprint background check for any applicant.”; and

Further amend said amendment, Page 8, Line 11, by inserting immediately after the word **“contract.”** the following:

“A transportation network company shall be required to have a written contract stating whether its drivers are considered independent contractors or employees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 640, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

“379.1700. As used in sections 379.1700 to 379.1708, the following terms shall mean:

(1) “Digital network”, any online-enabled application, software, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) “Personal vehicle”, a vehicle that is used by a transportation network company driver and is:

(a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;

(3) “Prearranged ride”, the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;

(4) “Transportation network company”, a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;

(5) “Transportation network company driver” or “driver”, an individual who:

(a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) “Transportation network company rider” or “rider”, an individual or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

379.1702. 1. Beginning April 1, 2017, a transportation network company driver or transportation network company on the driver’s behalf shall maintain primary automobile insurance that:

(1) Recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport riders for compensation; and

(2) Covers the driver while the driver is logged on to the transportation network company’s digital network or while the driver is engaged in a prearranged ride.

2. The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company’s digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, one hundred thousand dollars for death and bodily injury per incident, and twenty-five thousand dollars for property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

3. The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

4. If insurance maintained by a driver in subsection 2 or 3 of this section has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and shall have

the duty to defend such claim. If the insurance maintained by the driver does not otherwise exclude coverage for loss or injury while the driver is logged on to a transportation network's digital network or while the driver provides a prearranged ride, but does not provide insurance coverage at the minimum limits required by subsection 2 or 3 of this section, the transportation network company shall maintain insurance coverage that provides excess coverage beyond the driver's policy limits up to the limits required by subsection 2 or 3 of this section, as applicable.

5. Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

6. Insurance required by this section may be placed with an insurer authorized to issue policies of automobile insurance in the state of Missouri or with an eligible surplus lines insurer under chapter 384.

7. Insurance satisfying the requirements of this section shall be deemed to satisfy the motor vehicle financial responsibility requirements for a motor vehicle under chapter 303.

8. A transportation network company driver shall carry proof of coverage satisfying subsections 2 and 3 of this section with him or her at all times during his or her use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers, upon request under section 303.024. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers whether the driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.

379.1704. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(1) The insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(2) That the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride depending on the policy's terms.

379.1706. A transportation network company shall make the following disclosure to a prospective driver in the prospective driver's terms of service:

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR COLLISION COVERAGE,

THE TRANSPORTATION NETWORK COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

The disclosure set forth in this subsection shall be placed prominently in the prospective driver's written terms of service, and the prospective driver shall acknowledge the terms of service electronically or by signature.

379.1708. 1. Insurers that write automobile insurance in Missouri may exclude or limit any and all coverage afforded under an automobile insurance policy, including a motor vehicle liability policy, issued to an owner or operator of a vehicle for any loss or injury that occurs while:

(1) A driver is logged on to a transportation network company's digital network;

(2) A driver provides a prearranged ride; or

(3) A motor vehicle is being used to transport or carry persons or property for any compensation or suggested donation;

2. The right to exclude all coverage under subsection 1 of this section may apply to any coverage included in an automobile insurance policy including, but not limited to:

(1) Liability coverage for bodily injury and property damage;

(2) Uninsured and underinsured motorist coverage;

(3) Medical payments coverage;

(4) Comprehensive physical damage coverage; and

(5) Collision physical damage coverage.

Such exclusions shall apply notwithstanding any financial responsibility requirement or uninsured motorist coverage requirement under the motor vehicle financial responsibility law, chapter 303, or section 379.203, respectively. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a vehicle to transport passengers or property for compensation.

3. Nothing shall be deemed to preclude an insurer from providing coverage for the transportation network company driver's vehicle, if it chooses to do so by contract or endorsement.

4. Automobile insurers that exclude the coverage described under section 379.1702 shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in Missouri prior to the enactment of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

5. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 379.1702 at the time of loss.

6. In a claims coverage investigation, transportation network companies and any insurer

providing coverage under section 379.1702 shall cooperate to facilitate the exchange of relevant information with each other and any insurer of the transportation network company driver if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under section 379.1702.

387.600. As used in sections 387.600 to 387.630, the following terms shall mean:

(1) **"Digital network"**, any online-enabled application, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) **"Personal vehicle"**, a vehicle that is used by a transportation network company driver and is:

(a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;

(3) **"Prearranged ride"**, the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;

(4) **"Transportation network company"**, a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;

(5) **"Transportation network company driver" or "driver"**, an individual who:

(a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) **"Transportation network company rider" or "rider"**, an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

387.602. Notwithstanding any other provision of law, transportation network companies shall not be considered common carriers, contract carriers, or motor carriers, as defined under section 390.020, or for-hire vehicle service. A transportation network company driver shall not be required to register any vehicle the driver uses to provide prearranged rides as a commercial vehicle or as a

for-hire vehicle.

387.604. Beginning August 28, 2016, any person operating a transportation network company in the state shall be required to obtain a permit from the department of revenue. The department shall issue permits to applicants who meet the requirements for a transportation network company as provided under sections 387.600 to 387.630 and who pay an annual, nonrefundable permit fee of five thousand dollars to the department. While operating as a transportation network company, such company shall maintain an agent for service of process within the state of Missouri.

387.608. On behalf of a transportation network company driver, a transportation network company may charge a fare for the services provided to riders; provided that, if a fare is collected from a rider, the transportation network company shall disclose to the rider the fare calculation method in the vehicle on its website or within the software application service. The transportation network company shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the transportation network company driver's vehicle.

387.610. The transportation network company shall meet the requirements of either subsection of this section at its option:

(1) Display in its software application or website a picture of the transportation network driver and the license plate number of the motor vehicle utilized for providing the prearranged ride before the passenger enters the transportation network company driver's vehicle; or

(2) Have clearly visible external markings on the front and back or both sides of the transportation network motor vehicles to easily identify the vehicle as a transportation network vehicle. Vehicle markings shall be no less than six inches tall and six inches wide. The transportation network driver shall display photo identification within the vehicle at all times.

387.612. After the completion of a prearranged ride secured on a digital network, within a reasonable period of time following the completion of a trip, a transportation network company shall transmit an electronic receipt to the transportation network company rider on behalf of the transportation network company driver that lists:

- (1) The origin and destination of the trip;
- (2) The total time and distance of the trip; and
- (3) An itemization of the total fare paid, if any.

387.620. Drivers shall be independent contractors and not employees of the transportation network company if all of the following conditions are met:

(1) The transportation network company does not prescribe specific hours during which a transportation network company driver must be logged into the transportation network company's digital network;

(2) The transportation network company imposes no restrictions on the transportation network company driver's ability to utilize digital networks from other transportation network companies;

(3) The transportation network company does not assign a transportation network company driver a particular territory in which prearranged rides can be provided;

(4) The transportation network company does not restrict a transportation network company driver from engaging in any other occupation or business; and

(5) The transportation network company and transportation network company driver agree in writing that the driver is an independent contractor of the transportation network company.

387.622. 1. The transportation network company shall implement a zero tolerance policy regarding a transportation network company driver's activities while accessing the transportation network company's digital network. The zero tolerance policy shall address the use of drugs or alcohol while a transportation network company driver is providing prearranged rides or is logged into the transportation network company's digital network but is not providing prearranged rides, and the transportation network company shall provide notice of this policy on its website, as well as procedures to report a complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

2. Upon receipt of a rider complaint alleging a violation of the zero tolerance policy, the transportation network company shall immediately suspend such transportation network company driver's access to the transportation network company's digital network, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

3. The transportation network company shall maintain records relevant to the enforcement of this requirement for a period of at least two years from the date that a rider complaint is received by the transportation network company.

387.624. 1. Before allowing an individual to accept trip requests through a transportation network company's digital network:

(1) The individual shall submit an application to the transportation network company, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the transportation network company;

(2) The transportation network company shall conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:

(a) Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation; and

(b) National Sex Offender Registry database;

(3) The transportation network company shall obtain and review a driving history research report for such individual.

2. The transportation network company shall not permit an individual to act as a transportation network company driver on its digital network who:

(1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;

(2) Has been convicted within the past seven years of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage or theft, acts of violence, or acts of terror;

(3) Is a match in the National Sex Offender Registry database;

(4) Does not possess a valid driver's license;

(5) Does not possess proof of registration for the motor vehicle or vehicles used to provide prearranged rides;

(6) Does not possess proof of automobile liability insurance for the motor vehicle or vehicles used to provide prearranged rides; or

(7) Is not at least nineteen years of age.

3. A transportation network company driver who is qualified to accept trip requests through a transportation network company's digital network under this section shall not be required to obtain any other state or local license or permit to provide prearranged rides.

387.626. The transportation network company shall not allow a transportation network company driver to accept trip requests through the transportation network company's digital network unless any motor vehicle or vehicles that a transportation network company driver will use to provide prearranged rides meets the inspection requirements of section 307.350.

387.627. 1. The transportation network company shall adopt a policy of nondiscrimination with respect to riders and potential riders and notify transportation network company drivers of such policy.

2. Transportation network company drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders.

3. Transportation network company drivers shall comply with all applicable laws relating to accommodation of service animals.

4. A transportation network company shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

387.628. A transportation network company shall maintain the following customer records:

(1) For prearranged rides secured through a digital network, individual trip records of rider customers for at least one year from the date each trip was provided; and

(2) Individual records of transportation network company driver customers at least until the one year anniversary of the date on which a transportation network company driver's customer relationship with the transportation network company has ended.

387.630. 1. Notwithstanding any other provision of law, transportation network companies and transportation network company drivers are governed exclusively by sections 387.600 to 387.630 and any rules promulgated by the State of Missouri consistent with such sections. No municipality or other local or state entity may impose a tax on or require a license for a transportation network company, a transportation network company driver, or a vehicle used by a transportation network company driver where such tax or licenses relates to providing prearranged rides, or subject a transportation network company to the municipality or other local or state entity's rate, entry, operational requirements, or other requirements. Nothing in this section shall apply to an earnings tax.

2. The department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are

subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

387.632. 1. Beginning August 28, 2016, and annually thereafter, a taxicab, a taxicab driver, a taxicab company as those terms are defined in section 67.1800, shall make an election filed with the department of revenue to comply with either:

(1) The provisions of 387.600 through 387.630 herein; or

(2) Applicable municipal regulation duly enacted or authorized by 67.1800 through 67.1822.

2. A taxicab company or taxicab driver, solely for purposes of satisfying 387.624 herein, may maintain primary commercial automobile liability coverage with a combined single limit of no less than four hundred thousand dollars for death, bodily injury or property damage provided such policy be issued by an insurer with a credit rating of no less than A- by A.M. Best.

387.634. 1. Transportation network companies shall not be considered employers of transportation network company drivers for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. Transportation network company drivers shall not be considered employees for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. If the parties agree to the application of one or more of these laws in a written contract, the transportation network company shall notify the appropriate agency of the election to cover the driver. If the parties subsequently change this election, the transportation network company shall notify the appropriate agency of the change.

2. Except when agreed to by written contract, a transportation network company driver is not an agent of a transportation network company.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 640, Page 3, Line 26, by deleting all of said line and inserting in lieu thereof the following:

the act of sport fishing.

306.126. 1. The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term “adequate guards or railing” means guards or railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail, **outboard jet motors, or vessels not originally manufactured with adequate guards or railing.**

2. Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for

three hundred sixty degrees around the horizon when displayed and shall be displayed only when an occupant of the watercraft has left the confines of the watercraft and entered the water. The flag required by this subsection shall not be displayed when the watercraft is engaged in towing any person, but shall be displayed when such person has ceased being towed and has reentered the water.

3. No operator shall knowingly operate any watercraft within fifty yards of a flag required by subsection 2 of this section at a speed in excess of a slow-no wake speed.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 640, Page 3, Line 26, by deleting all of said line and inserting in lieu thereof the following:

“the act of sport fishing.

306.125. 1. Every person shall operate a motorboat, vessel or watercraft in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

2. No person shall operate a motorboat, vessel or watercraft at any time from a half-hour after sunset until an hour before sunrise the following day at a speed exceeding thirty miles per hour.

3. Vessels shall not be operated within one hundred feet of any dock, pier, occupied anchored boat or buoyed restricted area on any lake at a speed in excess of slow-no wake speed. **The operator of any vessel in violation of this subsection is guilty of an infraction and shall be fined not more than twenty-five dollars. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section.**

4. Subsection 1 of this section shall not apply to a motorboat or other boat race authorized under section 306.130.

Section B. Because immediate action is necessary to preserve the safety of the citizens of Missouri on the waters of Missouri, the repeal and reenactment of sections 306.100 and 306.125 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 306.100 and 306.125 of section A of this act shall be in full force and effect upon its passage and approval.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 640, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

“306.100. 1. For the purpose of this section, vessels shall be divided into four classes as follows:

- (1) Class A, less than sixteen feet in length;
- (2) Class 1, at least sixteen and less than twenty-six feet in length;
- (3) Class 2, at least twenty-six and less than forty feet in length;
- (4) Class 3, forty feet and over.

2. All vessels shall display from sunset to sunrise the following lights when under way, and during such time no other lights, continuous spotlights or docking lights, or other nonprescribed lights shall be exhibited:

(1) Vessels of classes A and 1:

(a) A bright white light aft to show all around the horizon;

(b) A combined light in the forepart of the vessel and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on their respective sides;

(2) Vessels of classes 2 and 3:

(a) A bright white light in the forepart of the vessel as near the stem as practicable, so constructed as to show the unbroken light over an arc of the horizon of twenty points (22 1/2 degrees) of the compass, so fixed as to throw the light ten points (11 1/2 degrees) on each side of the vessel; namely, from right ahead to two points (22 1/2 degrees) abaft the beam on either side;

(b) A bright white light aft to show all around the horizon and higher than the white light forward;

(c) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points (11 1/2 degrees) of the compass, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on the starboard side; on the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points (11 1/2 degrees) of the compass, so fixed as to throw the light from right ahead to two points (22 1/2 degrees) abaft the beam on the portside. The side lights shall be fitted with inboard screens so set as to prevent these lights from being seen across the bow;

(3) Vessels of classes A and 1 when propelled by sail alone shall exhibit the combined light prescribed by this section and a twelve point (135 degree) white light aft. Vessels of classes 2 and 3, when so propelled, shall exhibit the colored side lights, suitably screened, prescribed by this section and a twelve point (135 degree) white light aft;

(4) All vessels between the hours of sunset and sunrise that are not under way, moored at permanent dockage or attached to an immovable object on shore so that they do not extend more than fifty feet from the shore shall display one three-hundred-sixty-degree white light visible three hundred sixty degrees around the horizon;

(5) Every white light prescribed by this section shall be of such character as to be visible at a distance of at least two miles. Every colored light prescribed by this section shall be of such character as to be visible at a distance of at least one mile. The word “visible” in this subsection, when applied to lights, shall mean visible on a dark night with clear atmosphere;

(6) When propelled by sail and machinery every vessel shall carry the lights required by this section for a motorboat propelled by machinery only.

3. Any watercraft not defined as a vessel shall, from sunset to sunrise, carry, ready at hand, a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

4. Any vessel may carry and exhibit the lights required by the federal regulations for preventing collisions at sea, in lieu of the lights required by subsection 2 of this section.

5. All other watercraft over sixty-five feet in length and those propelled solely by wind effect on the sail shall display lights prescribed by federal regulations.

6. Any watercraft used by a person engaged in the act of sport fishing is not required to display any lights required by this section if no other vessel is within the immediate vicinity of the first vessel, the vessel is using an electric trolling motor and the vessel is within fifty feet of the shore.

7. Every vessel, except those in class A, shall have on board at least one wearable personal flotation device of type I, II or III for each person on board and each person being towed who is not wearing one. Every such vessel shall also have on board at least one type IV throwable personal flotation device.

8. All class A motorboats and all watercraft traveling on the waters of this state shall have on board at least one type I, II, III or IV personal flotation device for each person on board and each person being towed who is not wearing one.

9. All lifesaving devices required by subsections 7 and 8 of this section shall be United States Coast Guard approved, in serviceable condition and so placed as to be readily accessible. **The operator of any watercraft in violation of this subsection is guilty of an infraction and shall be fined not more than twenty-five dollars.**

10. Every vessel which is carrying or using flammable or toxic fluid in any enclosure for any purpose, and which is not an entirely open vessel, shall have an efficient natural or mechanical ventilation system which must be capable of removing resulting gases prior to and during the time the vessel is occupied by any person.

11. Motorboats shall carry on board at least the following United States Coast Guard approved fire extinguishers:

(1) Every class A and every class 1 motorboat carrying or using gasoline or any other flammable or toxic fluid, one B1 type fire extinguisher;

(2) Every class 2 motorboat:

(a) Two B1 type fire extinguishers; or

(b) One B2 type fire extinguisher; or

(c) A fixed fire extinguishing system and one B1 type fire extinguisher; and

(3) Every class 3 motorboat:

(a) Three B1 type fire extinguishers; or

(b) One B2 type and one B1 type fire extinguisher; or

(c) A fixed fire extinguishing system and one B2 type fire extinguisher; or

(d) A fixed fire extinguishing system and two B1 type fire extinguishers.

12. All class 1 and 2 motorboats and vessels shall have a sounding device. All class 3 motorboats and vessels shall have at least a sounding device and one bell.

13. No person shall operate any watercraft which is not equipped as required by this section.

14. A water patrol division officer may direct the operator of any watercraft being operated without sufficient personal flotation devices, fire-fighting devices or in an overloaded or other unsafe condition or manner to take whatever immediate and reasonable steps are necessary for the safety of those aboard when, in the judgment of the officer, such operation creates a hazardous condition. The officer may direct the operator to return the watercraft to the nearest safe mooring and to remain there until the situation creating the hazardous condition is corrected.

15. A water patrol division officer may remove any unmanned or unattended watercraft from the water when, in the judgment of the officer, the watercraft creates a hazardous condition.

16. Nothing in this section shall prohibit the use of additional specialized lighting used in the act of sport fishing.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 640, Page 1, In the Title, Line 3, by inserting immediately after the word “vehicles” the phrase “and watercrafts”; and

Further amend said bill, Section 301.564, Page 9, Line 22, by inserting after all of said section and line the following:

“302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person’s driver’s license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.** These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person’s vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns an entity that owns an employer-owned vehicle, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use, except as provided in section 302.441, and the court may order the person to submit to continuous alcohol monitoring as defined in section 577.023, and beginning January 1, 2017, section 577.001, or random alcohol monitoring.”; and

302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. Until January 1,

2002, the presiding judge of the circuit court may assign a traffic judge, pursuant to section 479.500, RSMo 1994, a circuit judge or an associate circuit judge to hear such petition. After January 1, 2002, pursuant to local court rule pursuant to article V, section 15 of the Missouri Constitution, the case may be assigned to a circuit judge or an associate circuit judge, or to a traffic judge pursuant to section 479.500.

2. The filing of a petition for trial de novo shall [not] result in a stay of the suspension or revocation order **and, beginning June 1, 2017, the department shall issue a temporary driving permit which shall be valid until a final order is issued following the date of the disposition of the petition for a trial de novo.** [A restricted driving privilege as defined in section 302.010 shall be issued in accordance with subsection 2 of section 302.525, if the person's driving record shows no prior alcohol-related enforcement contact during the immediately preceding five years. Such restricted driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the restricted driving privilege as permitted in subsection 2 of this section, the department may upon the filing of a petition for trial de novo issue a restricted driving privilege as defined in section 302.010. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license.]"; and

Further amend said bill, Page 15, Section 304.170, Line 114, by inserting after all of said section and line the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however:

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city;

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane

undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of State Route 210 and State Route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county. The commercial zone shall continue east along State Route 10 from the intersection of State Route 10 and State Route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone described in this subdivision shall be extended to also include the stretch of State Route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat. **The commercial zone described in this subdivision shall be extended east from the intersection of State Route 7 and U.S. Highway 50 to include the city limits of a city of the fourth classification with more than one thousand fifty but fewer than one thousand two hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and from the eastern limits of said city east along U.S. Highway 50 up to and including the intersection of U.S. Highway 50 and State Route AA, then south along State Route AA up to and including the intersection of State Route AA and State Route 58, then west along State Route 58 to include the city limits of a city of the fourth classification with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, and from the western limits of said city along State Route 58 to where State Route 58 intersects with State Route 7;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

(4) The commercial zone of a home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants and located in a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants shall extend north from the city limits along U.S. Highway 63, a state highway, to the intersection of State Route NN, and shall continue west and south along State Route NN to the intersection of State Route 124, and shall extend east from the intersection along State Route 124 to U.S. Highway 63. The commercial zone described in this subdivision shall also extend east from the city limits along State Route WW to the intersection of State Route J and continue south on State Route J for four miles.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the

mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

5. Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

6. No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height.

Section 1. 1. This section shall be known and may be cited as the “Alexandra and Brayden Anderson Electric Shock Drowning Prevention Act”.

2. Beginning September 15, 2016, and every five years thereafter, the permit issuing entity shall mail to every dock permit holder a notice of the following:

(1) All dock permit holders who have electricity on their docks shall have, at a minimum, a proper electrical grounding and bonding system pursuant to the National Electrical Code NFPA 70 Art. 250, and a functioning shoreline to dock ground fault circuit interrupter; and

(2) Dock permit holders shall be liable for injury or death caused as a result of electrical current originating from their dock.

3. Nothing in this section shall give rise to any liability on the part of the dock permitting entity.

4. The provisions of this section shall apply to any lake having at least one thousand miles of shoreline and owned and maintained by an electrical corporation.

Section B. The repeal and reenactment of section 302.535 of this act shall become effective on March 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly. Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Schaefer moved that **HCS** for **HB 1862**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** was again taken up.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1862, Page 6, Section 535.300, Line 19, of said page, by inserting after “deposit” the following: “, so long as the rental agreement also includes a provision notifying the tenant that he or she may be liable for actual costs for carpet cleaning that exceed ordinary wear and tear, which may also be withheld from the security deposit”.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 1862**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 1862**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Emery	Kraus	Schupp	Walsh—4
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Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Emery moved that **HCS** for **HB 1713**, with **SCS**, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 1713**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1713

An Act to repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof six new sections relating to water systems, with an emergency clause for a certain section.

Was taken up.

Senator Emery moved that **SCS** for **HCS** for **HB 1713** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 1, In the Title, Line 3 of the title by inserting immediately after “relating to” the following: “the regulation of”; and

Further amend said bill, page 4, section 256.447, line 12, by inserting after all of said line the following:

“644.021. 1. There is hereby created a water contaminant control agency to be known as the “Clean Water Commission of the State of Missouri”, whose domicile for the purposes of sections 644.006 to 644.141 shall be deemed to be that of the department of natural resources. The commission shall consist of seven members appointed by the governor with the advice and consent of the senate. No more than four of the members shall belong to the same political party. All members shall be representative of the general interest of the public and shall have an interest in and knowledge of conservation and the effects and control of water contaminants. **At least** two [such] members[, but no more than two,] shall be knowledgeable

concerning the needs of agriculture, industry or mining and interested in protecting these needs in a manner consistent with the purposes of sections 644.006 to 644.141. One [such] member shall be knowledgeable concerning the needs of publicly owned wastewater treatment works. **No more than** four members shall represent the public. No member shall receive, or have received during the previous two years, a significant portion of his or her income directly or indirectly from permit holders or applicants for a permit pursuant to any federal water pollution control act as amended and as applicable to this state. All members appointed on or after August 28, 2002, shall have demonstrated an interest and knowledge about water quality. All members appointed on or after August 28, 2002, shall be qualified by interest, education, training or experience to provide, assess and evaluate scientific and technical information concerning water quality, financial requirements and the effects of the promulgation of standards, rules and regulations. At the first meeting of the commission and at yearly intervals thereafter, the members shall select from among themselves a chairman and a vice chairman.

2. The members' terms of office shall be four years and until their successors are selected and qualified. Provided, however, that the first three members appointed shall serve a term of two years, the next three members appointed shall serve a term of four years, thereafter all members appointed shall serve a term of four years. There is no limitation on the number of terms any appointed member may serve. If a vacancy occurs the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. The governor may remove any appointed member for cause. The members of the commission shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

3. The commission shall hold at least four regular meetings each year and such additional meetings as the chairman deems desirable at a place and time to be fixed by the chairman. Special meetings may be called by three members of the commission upon delivery of written notice to each member of the commission. Reasonable written notice of all meetings shall be given by the director to all members of the commission. Four members of the commission shall constitute a quorum. All powers and duties conferred specifically upon members of the commission shall be exercised personally by the members and not by alternates or representatives. All actions of the commission shall be taken at meetings open to the public. Any member absent from six consecutive regular commission meetings for any cause whatsoever shall be deemed to have resigned and the vacancy shall be filled immediately in accordance with subsection 1 of this section.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 256.447, Line 12, by inserting immediately after said line the following:

“640.703. For the purposes of sections 640.700 to 640.755, the following terms mean:

- (1) “Animal units”, shall be defined by rules of the department in effect as of January 30, 1996;
- (2) “Animal waste wet handling facility”, includes all gravity outfall lines, recycle pump stations, recycle force mains and appurtenances;
- (3) “Class IA”, any concentrated animal feeding operation with a capacity of seven thousand animal units or more;
- (4) “Class IB”, any concentrated animal feeding operation with a capacity between three thousand

animal units and six thousand nine hundred and ninety-nine animal units inclusive;

(5) “Class IC”, any concentrated animal feeding operation with a capacity between one thousand animal units and two thousand nine hundred and ninety-nine animal units inclusive;

(6) “Class II”, any concentrated animal feeding operation with a capacity of at least three hundred animal units, but less than one thousand animal units;

(7) **“Continuing authority”, any person, as the term is defined in section 144.010, legal entity, registered corporate entity, or permanent organization that accepts responsibility to operate concentrated animal feeding operations in compliance with any permits required by chapter 644;**

(8) “Department”, the department of natural resources;

[(8)] (9) “Facility”, any class IA concentrated animal feeding operation which uses a flush system;

[(9)] (10) “Flush system”, a system of moving or removing manure utilizing liquid as the primary agent as opposed to a primarily mechanical or automatic device;

[(10)] (11) “Sensitive areas”, areas in the watershed located within five miles upstream of any stream or river drinking water intake structure, other than those intake structures on the Missouri and Mississippi rivers.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted.

Senator Holsman offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 2, Section 640.703, Line 1 of said amendment, by inserting after “that” the following: **“maintains a Missouri registered agent and”**.

Senator Holsman moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Keaveny raised the point of order that **SA 2** goes beyond the scope of the underlying amendment.

The point of the order was referred to the President Pro Tem, who took it under advisement, which placed **HCS** for **HB 1713**, with **SCS**, **SA 2**, and **SA 1** to **SA 2** (pending), on the Informal Calendar.

Senator Onder assumed the Chair.

HB 1577, introduced by Representative Higdon, with **SCS**, entitled:

An Act to repeal section 8.177, RSMo, and to enact in lieu thereof two new sections relating to the commission on capitol security infrastructure.

Was taken up by Senator Riddle.

SCS for **HB 1577**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1577

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof two new sections relating to the oversight of public buildings located in the seat of government.

Was taken up.

Senator Riddle moved that **SCS** for **HB 1577** be adopted, which motion prevailed.

Senator Onder assumed the Chair.

On motion of Senator Riddle, **SCS** for **HB 1577** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, **HA 4**, as amended and **HA 5** to **SB 988** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **HA 1**, **HA 2**, as amended, and **HA 3** to **SB 852** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 656**, entitled:

An Act to repeal sections 50.535, 563.031, 571.030, 571.101, 571.104, 571.111, and 571.126, RSMo, and to enact in lieu thereof fifteen new sections relating to firearms, with penalty provisions and an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 656, Pages 5 to 10, Section 571.030, Lines 1 to 184, by deleting all of said section and lines and inserting in lieu thereof the following:

“571.030. 1. A person commits the crime of unlawful use of weapons, **except as otherwise provided by sections 571.101 to 571.121**, if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use **into any area where firearms are restricted under section 571.107**; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 195.202; or

(12) Carries a firearm or any other weapon readily capable of lethal use into any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly.

2. Subdivisions (1), (8), [and] (10), **and (12)** of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under section 590.750;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant circuit attorney, or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of section 571.111;

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any fire department or fire protection district [chief] **member** who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such

concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. [Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5.] Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

[6.] **5.** Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

[7.] **6.** Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. A person who commits the crime of unlawful use of weapons under:

(1) Subdivision (2), (3) or (4) of subsection 1 of this section shall be guilty of a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017;

(2) Subdivision (1), (6), (7), (8), (11) or (12) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and, if the firearm is loaded, a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017;

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. [Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of

subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

9.] Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

[10.] **9.** Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

[11.] **10.** Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

[12.] **11.** As used in this section “qualified retired peace officer” means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

[13.] **12.** The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service

as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 656, Page 1, In the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“provisions, an emergency clause for certain sections, and a delayed effective date.

Further amend said bill. Page 21, Section 571.104, Line 164, by inserting after said section and line the following:

“571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this

subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, [or] statewide elected officials and their employees, **or other persons** holding a valid concealed carry permit or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) **The following locations within a public higher education institution without the consent of the governing body of the public higher education institution:**

(a) **Any polling place on election day;**

(b) **Any classroom location where a preschool or an elementary or secondary school-sponsored activity is occurring, excluding the location of a tour or similar transient presence, or any location of programs or camps for children eighteen years of age and under that are sponsored, facilitated, or coordinated by the public higher education institution;**

(c) **Any courtroom or associated offices when such offices are being used by a federal, state, or local judge for official business;**

(d) **Any patient care area, hospital, or patient care office, including those in which mental health services are provided;**

(e) **Any National Collegiate Athletic Association sporting event, any other event with more than five thousand seats, or any event that is a ticketed event. Such ticket shall be used as notice to the attendee with the words “Firearms Prohibited” written on the ticket;**

(f) **Any board meeting or meeting in which disciplinary, grievance, tenure, or academic promotion proceedings are taking place;**

(g) **Animal-research facilities and other animal-care and animal-use locations in which protocols regulating ingress and egress create a risk that a concealed firearm will accidentally discharge, be contaminated, or be separated from a concealed carry license holder.**

Possession of a firearm in a vehicle on the premises of any public higher education institution shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any **private** higher education institution or elementary or secondary school facility without the consent of the governing body of the **private** higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any **private** higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(11)] (12) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

[(12)] (13) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(13)] (14) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle

or brandished while the vehicle is on the premises;

[(14)] **(15)** Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(15)] **(16)** Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

[(16)] **(17)** Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(17)] **(18)** Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to [(17)] **(18)** of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant

to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

3. No private or public higher education institution shall compile or distribute to an entity, including itself, identifying information of concealed carry permit or endorsement holders.

4. All signage posted on a public higher education institution prohibiting the carrying of concealed firearms in prohibited places shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in this section as a prohibited area, unless the building or premises is a private residence. Signage shall be of a uniform design as established and shall be four inches by six inches in size. Such signage shall be window cling or other material to be placed on external doors with the following:

(1) A white background;

(2) No text or marking within the one-inch area surrounding the graphic design;

(3) A depiction of a handgun in black ink with a circle around and diagonal slash across the firearm in red ink; and

(4) The image shall be four inches in diameter.

5. Except as provided by subsection 6 of this section, no public higher education institution shall be authorized or enabled to impose by rule, policy, ordinance, contractual requirement, or agreement of any type any prohibition on the lawful possession or carry of concealed firearms by full-time university employees as a condition of employment or other affiliation with such public higher education institution.

6. (1) Notwithstanding any other provision of law, a public higher education institution shall be allowed to adopt rules and policies regarding the possession of concealed firearms on its premises, subject to the limits set forth in this subsection. Such rules and policies may restrict the possession of concealed firearms on campus as expressly provided in subdivisions (2) to (4) of this subsection; any additional restrictions shall not conflict with subdivisions (5) and (6) of this subsection and shall be based on specific, enhanced safety considerations demonstrated by the public higher education institution, subject to de novo judicial review under section 536.050, appertaining to the conduct being regulated. Adopted rules and policies shall be published on the public higher education institution's website where other collected rules and regulations are posted.

(2) A public higher education institution may establish a rule that all counselors, staff, and volunteers who work in a campus program for minors, as defined by the public higher education institution rules regarding programs for minors, be required as a condition of their participation to agree not to carry a concealed firearm on the grounds or premises where the actual program is conducted.

(3) A public higher education institution may establish a rule that prohibits possession of a concealed firearm on campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of concealed firearms on the premises.

(4) Other than those locations described in subdivision (10) of this section or subdivision (3) of this subsection, rules and policies adopted under this subsection shall not prohibit or limit, or have the effect of prohibiting or limiting:

(a) The possession or storage of a concealed firearm; or

(b) The firearm condition or readiness of a firearm when carried concealed.

(5) Rules and policies adopted under this subsection shall not prohibit and shall not have the effect of prohibiting, lawful possession or storage of a firearm in a vehicle on the premises of a public higher education institution.

(6) Rules and policies adopted under this subsection shall not restrict the type of firearm that may be carried concealed at such institution.

(7) Rules and policies adopted under this subsection shall not limit or interpret the rights afforded employees under subsection 6 of section 571.030.

7. A public higher education institution shall not impose any taxes, fees, or other monetary charges as a condition for the lawful possession or carry of concealed firearms. If a private person seeks the return of a firearm in the possession of a public higher education institution that such person is entitled to possess, the public higher education institution shall make it available for return within two days following written demand for such firearm.

8. Any person aggrieved by a deprivation of, or a threatened deprivation of, a concealed firearm or ammunition at a public higher education institution in violation of this section, or aggrieved by a denial of, or a threatened denial of, access to any portion of a public higher education in violation of this section, may, in addition to any other remedy available, maintain a claim in small claims court. The court shall have the authority to award equitable relief to such aggrieved person in addition to any other remedy available in such court. Entitlement to a remedy shall not depend on the extent to which the person responsible for the deprivation or denial was aware that the deprivation or denial was a violation.”; and

Further amend said bill, Page 41, Section B, Line 6, by inserting after said section and line the following:

“Section C. The repeal and reenactment of section 571.107 of this act shall become effective on January 1, 2017”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 656, Page , Section 571.230, Line 7, by inserting after all of said section and line the following:

“571.525. 1. Notwithstanding any provision of this chapter, chapter 577, or chapter 578 to the contrary, a person carrying a firearm concealed on or about his or her person who is lawfully in possession of a valid concealed carry permit or endorsement shall not be prohibited or impeded from accessing or using any publicly funded transportation system, including systems providing bus or train service, nor shall such person be harassed or detained for carrying a concealed firearm on the property of such systems.

2. Subsection 1 of this section shall not apply to:

(1) Any bus operated by or under contract with a public or private elementary, secondary, or vocational school or higher education institution unless the governing body of the higher education institution, school official, or the district school board has consented to the carrying of concealed

firearms on the bus; or

(2) The property of any corporation that provides intercity passenger train service on railroads throughout the United States or any private partnership that the corporation engages in.

3. A person carrying a concealed firearm on a transportation system in accordance with this section shall not be prohibited from acting in self defense or defense of others, as authorized under chapter 563, while on the property of the transportation system.

577.703. 1. A person commits the offense of bus hijacking if he or she seizes or exercises control, by force or violence or threat of force or violence, of any bus. The offense of bus hijacking is a class B felony.

2. The offense of “assault with the intent to commit bus hijacking” is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking is a class D felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. **Except as otherwise provided under section 571.525**, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his or her person or effects is guilty of the felony of “possession and concealment of a dangerous or deadly weapon” upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; [nor shall the provisions of this subsection apply to]

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such bus; **or**

(3) Persons carrying concealed firearms who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.525.

577.712. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself or herself and state his or her business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. **Except as otherwise provided under section 571.525**, it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class D felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers.

578.305. 1. The offense of “bus hijacking” is defined as the seizure or exercise of control, by force or

violence or threat of force or violence, of any bus within the jurisdiction of this state. Bus hijacking shall be a class B felony.

2. The offense of “assault with the intent to commit bus hijacking” is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking shall be a class C felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. **Except as otherwise provided under section 571.525**, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his person or effects is guilty of the felony of “possession and concealment of a dangerous or deadly weapon” upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus shall be a class C felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel who are in possession of weapons used within the course and scope of their employment; [nor shall the provisions of this subsection apply to]

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, or his agent, or the lessee or bailee of such bus; **or**

(3) **Persons carrying concealed firearms who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.525.**

578.320. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself and state his business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. **Except as otherwise provided under section 571.525**, it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class C felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 656, Page 3, Section 57.281, Line 33, by inserting after all of said section and line the following:

“105.241. Any peace officer licensed under chapter 590 and employed by any city, county, or political subdivision of the state shall have the right to carry a firearm at all times.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 656, Page 1, Line 15, by deleting all of said line and inserting in lieu thereof the following:

“per person.

4. Any person who is found to have violated the provisions of this section during the course of a cause of action tried under subsections 2 or 3 of this section shall have his or her employment terminated and his or her pension shall be forfeited.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 656, Page 41, Section 571.230, Line 7, by inserting after all of said section and line the following:

“571.500. 1. No state agency or department, or contractor or agent working for the state, shall construct, enable by providing or sharing records to, maintain, participate in, or develop, or cooperate with or enable the state or federal government in developing a database or record of the number or type of firearms, ammunition, [or] firearms accessories that an individual possesses, gun owners, or concealed carry permit holders or applicants.

2. Any person whose name is placed into a database described in this section shall have a cause of action against the state agency and any persons involved in the creation or maintenance of such database. For any such cause of action, sovereign immunity is waived up to ten million dollars and official immunity is waived without limitation.

3. In addition to actual and compensatory damages, any person bringing such cause of action may recover punitive damages and shall, at a minimum, recover damages of one thousand dollars per person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 578**, as amended, and grants the Senate a conference thereon. Also, the conferees be allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SCS** for **SB 638** with **HA 1, HA 2, HA 3, HA 4, HA 1 to HA 5, HA 5** as amended, **HA 6, HA 7, HA 8, HA 9, HA 10**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 823**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 864**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 973**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **HCS** for **SB 635** be allowed to exceed the differences on Section 167.950.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 578**, as amended. Representatives: Jones, Mathews, Miller, Mitten, and Colona.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 638**, as amended. Representatives: Swan, Rowland (155), Haahr, Lafaver, and Montecillo.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 823**, as amended. Representatives: Zerr, Burlison, McGaugh, Butler, and Carpenter.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 864**, as amended. Representatives: Morris, Engler, White, Rizzo, and Kirkton.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 973**, as amended. Representatives: Jones, Cornejo, Rone, LaFaver, and Lavender.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 578**, as amended: Senators Keaveny, Sifton, Dixon, Emery and Onder.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 864**, as amended: Senators Sater, Wasson, Riddle, Sifton and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 823**, as amended: Senators Kraus, Wallingford, Emery, Keaveny and Curls.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 2170, regarding Megan Welch, Nevada, which was adopted.

Senator Sater offered Senate Resolution No. 2171, regarding Suzie Gasser, Monett, which was adopted.

Senator Wallingford offered Senate Resolution No. 2172, regarding Jessica Hahs, Oak Ridge, which was adopted.

Senator Wallingford offered Senate Resolution No. 2173, regarding the One Hundredth Birthday of Allen J. Hicks, Silva, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2174, regarding Kristin Cutt, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2175, regarding Sergeant Chad Ream, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2176, regarding Sergeant William Rhoades, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2177, regarding Officer Colleena Buchanan, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2178, regarding James Parrott, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2179, regarding Melissa Burleson, Louisiana, which was adopted.

Senator Sater offered Senate Resolution No. 2180, regarding Jonathan Bellis, which was adopted.

Senator Romine offered Senate Resolution No. 2181, regarding Bryanna Alexander, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 2182, regarding Pam Kiser, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2183, regarding Deneen McCord, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 2184, regarding Vicki Yount, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2185, regarding Tim Cooper, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 2186, regarding Steven Cross, Arcadia, which was adopted.

Senator Romine offered Senate Resolution No. 2187, regarding Shelly Rath, Cadet, which was adopted.

Senator Romine offered Senate Resolution No. 2188, regarding Carolyn Bittick, Farmington, which was

adopted.

Senator Romine offered Senate Resolution No. 2189, regarding Carolyn Gammon, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 2190, regarding Pat Ball, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 2191, regarding Janet Ratliff, Oates, which was adopted.

Senator Romine offered Senate Resolution No. 2192, regarding Lynn Garrison, Black, which was adopted.

Senator Romine offered Senate Resolution No. 2193, regarding Jean Cross, Ironton, which was adopted.

Senator Schupp offered Senate Resolution No. 2194, regarding Jane Durrell, Chesterfield, which was adopted.

Senator Wasson offered Senate Resolution No. 2195, regarding Brenda Reed, Strafford, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Physician of the Day, Dr. Renee Boulicault, Columbia.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, May 6, 2016.

SENATE CALENDAR

SIXTY-FIFTH DAY—FRIDAY, MAY 6, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566

HCS for HJR 98

HCS for HB 1605

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine

(In Fiscal Oversight)

SCS for SBs 857 & 712-Romine

(In Fiscal Oversight)

SS for SCS for SB 788-Schatz

(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HCS for HB 1941, with SCS (Keaveny)
(In Fiscal Oversight)
4. HCS for HB 1463 (Kraus)
(In Fiscal Oversight)
5. HCS for HB 1583, with SCS (Schmitt)
6. HCS for HB 2379, with SCS (Kehoe)
(In Fiscal Oversight)

7. HCS for HB 1912, with SCS (Schatz)
8. HB 1816-Koenig, with SCS (Wasson)
(In Fiscal Oversight)
9. HCS for HB 1718 (Romine)
10. HCS for HB 2496 (Hegeman)
11. HCS for HB 2402, with SCS (Pearce)
(In Fiscal Oversight)
12. HCS for HB 1561, with SCS (Schatz)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 596-Kraus, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS
SCS for SBs 662 & 587-Dixon
SB 680-Emery
SB 686-Wallingford, with SCS
SB 706-Dixon
SB 719-Emery, with SCS
SB 733-Dixon
SB 734-Dixon
SB 771-Onder
SB 772-Onder, with SCS
SB 774-Schmitt
SB 775-Schaefer

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)
SBs 789 & 595-Wasson, with SCS
SB 792-Richard
SB 793-Richard
SB 798-Kraus, with SCS
SB 802-Sater
SB 805-Onder, with SCS
SB 806-Onder, with SCS
SB 812-Keaveny
SB 816-Wieland, et al
SB 825-Munzlinger, with SA 1 (pending)
SB 830-Wasson, with SCS
SB 848-Emery, with SCS
SBs 851 & 694-Brown, with SCS
SB 853-Brown

SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 868-Wasson
 SB 871-Wallingford
 SB 883-Riddle
 SB 894-Munzlinger, with SS (pending)
 SB 896-Hegeman
 SB 898-Cunningham
 SB 908-Sater, with SCS
 SB 916-Schaefer
 SB 920-Schmitt and Kraus
 SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder
 SB 1005-Walsh

SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon
 SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS
 SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)
 HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1443-Leara, with SA 1 (pending)
 (Riddle)
 HB 1452-Hoskins, with SCS (Pearce)
 HCS for HB 1464, with SCS (Brown)
 HB 1472-Dugger (Dixon)
 HCS for HB 1474, with SCS (Kraus)
 HB 1478-Entlicher, with SCS (Pearce)
 HB 1479-Entlicher (Romine)
 HB 1534-Flanigan, with SCS (Schaefer)
 HB 1565-Engler (Dixon)
 HB 1575-Rowden, with SCA 1 (Onder)
 HB 1588-Franklin, with SCS (Parson)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1643-Hicks (Brown)
 HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HCS for HB 1675, with SCS (Munzlinger)

HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1684 (Riddle)
 HCS for HB 1696, with SCS (Riddle)
 HCS for HB 1713, with SCS, SA 2, SA 1 to
 SA 2 & point of order (pending)
 (Emery)
 HCS for HB 1717 with SS (pending)
 (Wallingford)
 HCS for HB 1729 (Munzlinger)
 HB 1745-Brattin, with SCS (Schatz)
 HCS for HB 1759, with SCS (Dixon)
 HCS for HB 1776 (Romine)
 HCS for HBs 1780 & 1420 (Pearce)
 HB 1795-Haefner, with SCS (Sater)
 HCS for HB 1804, with SCS, SS for SCS,
 SA 3 & SSA 1 for SA 3 (pending) (Emery)
 HCS for HB 1850 (Wasson)
 HB 1892-Rehder (Schatz)
 HCS for HB 1898 (Emery)
 HCS for HB 1904, with SCS (Wallingford)
 HCS for HB 1930 (Riddle)

HCS for HB 2029 (Sater)
HCS for HB 2038 (Munzlinger)
HB 2104-Alferman, with SCS (Schmitt)
HB 2111-Eggleston (Sater)
HCS for HB 2150 (Wieland)
HB 2166-Alferman, with SCS, SS#2 for
SCS, SA 1 & SSA 1 for SA 1 (pending)
(Onder)
HCS for HB 2187, with SCS (pending)
(Cunningham)
HCS for HB 2202, with SCS (Dixon)
HB 2226-Barnes (Silvey)
HB 2230-Ross (Schatz)
HCS for HBs 2234 & 1985 (Pearce)

HB 2257-Jones, with SCS (Wieland)
HCS for HB 2332, with SCS (Dixon)
HCS for HB 2376, with SCS (Wasson)
HCS for HB 2380, with SCS (Schatz)
HCS for HB 2381 (Munzlinger)
HCS for HB 2397 (Romine)
HB 2429-Dohrman, with SCS (Parson)
HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2689, with SS, SA 1 & SSA 1
for SA 1 (pending) (Silvey)
SS for HJR 53-Dugger (Kraus)
(In Fiscal Oversight)
HJR 58-Brown (57) (Romine)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)
HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 2183-Roeber (Curls)
HCS for HB 2453, with SCS (Schaaf)
HB 2480-Justus (Sater)
HB 1473-Dugger, with SCS (Wasson)

HB 1388-Roeber (Dixon)
HB 1593-Crawford (Hegeman)
HB 2591, HB 1958 & HB 2369-Richardson,
with SCS (Libla)
HB 2335-Houghton, with SCS (Riddle)
HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 640-Schatz, with HCS, as amended
SB 656-Munzlinger, with HCS, as amended
SCS for SBs 688 & 854-Romine, with HCS,
as amended
SB 702-Munzlinger, with HA 1
SCS for SB 703-Munzlinger, with HCS, as
amended

SS for SB 786-Kraus, with HCS, as amended
SCS for SB 814-Wallingford, et al, with
HCS
SB 994-Munzlinger, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS,
as amended

SCS for SB 578-Keaveny, with HCS, as
amended

SB 607-Sater, with HCS, as amended
 SS for SB 608-Sater, with HCS, as amended
 SS for SB 621-Romine, with HCS, as amended
 SB 635-Hegeman, with HCS, as amended
 SCS for SB 638-Riddle and Silvey, with
 HA 1, HA 2, HA 3, HA 4, HA 5, as
 amended, HA 6, HA 7, HA 8, HA 9 &
 HA 10
 SB 639-Riddle, with HCS, as amended
 SCS for SB 650-Pearce, with HA 1, HA 2,
 HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
 as amended & HA 9
 SB 677-Sater, with HCS, as amended
 SB 700-Schatz, with HA 1, as amended &
 HA 2

SS for SB 732-Munzlinger, with HCS, as
 amended
 SCS for SB 765-Schmitt and Nasheed, with
 HCS, as amended
 SCS for SB 823-Kraus, with HCS, as
 amended
 SB 864-Sater, with HCS, as amended
 SS for SCS for SBs 865 & 866-Sater, with
 HCS, as amended
 SB 867-Sater, with HCS, as amended
 SCS for SB 921-Riddle, with HA 1, as
 amended, HA 2, HA 3, HA 4, HA 5 &
 HA 6, as amended
 SCS for SB 973-Wasson, with HCS, as
 amended

Requests to Recede or Grant Conference

SB 625-Walsh, with HCS, as amended
 (Senate requests House recede or
 grant conference)
 SB 852-Brown, with HA 1, HA 2, as
 amended & HA 3 (Senate requests
 House recede or grant conference)
 SB 988-Kraus, with HA 1, HA 2, HA 3,
 HA 4, as amended & HA 5 (Senate
 requests House recede or grant
 conference)

HCS for HB 1584, with SCS, as amended
 (Schmitt) (House requests Senate
 recede or grant conference)
 HB 1870-Hoskins, with SAs 1, 3, 4 & 5
 (Pearce) (House requests Senate
 recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
 SCR 54-Walsh
 SCR 55-Holsman
 SCR 56-Brown
 SCR 59-Emery
 SCR 60-Curls
 SCR 61-Parson
 SCR 63-Curls and Munzlinger

SCR 68-Schupp
 SR 2062-Pearce
 HCS for HCR 57 (Schaefer)
 HCR 61-Engler
 HCR 63-Taylor (Wieland)
 HCR 69-Miller (Brown)
 HCS for HCR 73 (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIFTH DAY—FRIDAY, MAY 6, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...for God is a God not of disorder but of Peace.” (I Corinthians 14:33a)

Lord we conclude a tough week so as we finish here let our minds find peace and rest in You. Let us enjoy this time to embrace the beauty that is now around us. Let us embrace those we love so this time provides a peace that is so needed. Let us embrace a time in Your presence so our soul is truly at rest in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV and Missouri Digital News were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered the following resolution:

SENATE RESOLUTION NO. 2196

Whereas, sustained investment in electric, natural gas, water, and sewer utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies compete with utility companies in other states for the capital necessary to sustain investment in utility infrastructure in Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

Whereas, the utility regulatory process in Missouri, as it applies to electric, natural gas, water, and sewer corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

Whereas, the utility regulatory process and framework must be periodically evaluated in order to promote the interests of fairness and balance among all constituencies, by addressing policy and practice advances in areas including nontraditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function, and needs of the Public Service Commission, the role, function, and needs of the Office of Public Counsel, and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:

Now Therefore Be It Resolved that the members of the Senate of the Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Committee on Utility Regulation and Infrastructure Investment; and

Be It Further Resolved that such committee be composed of seven members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and three members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning: how the Missouri utility regulatory process and framework, and the results of such process and framework, compares to other states for electric, natural gas, water, and sewer utility companies; and how the utility regulatory process in Missouri can, or should, be modernized to be more efficient and effective, to ensure sustained investment in utility infrastructure and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of Public Counsel, political subdivisions of this state, regulated utilities, and consumer groups; and

Be It Further Resolved that Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that members and staff members assigned to the committee shall serve without compensation, but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

Senator Chappelle-Nadal offered Senate Resolution No. 2197, regarding Ann Gibbons, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2198, regarding Robert Melvin “Bob” Price, Hazelwood, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2199, regarding Brandon Pappert, Ferguson, which was adopted.

Senator Nasheed offered Senate Resolution No. 2200, regarding the Eightieth Birthday of former State Representative Charles Quincy Troupe, which was adopted.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 994**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 703**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 656**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schmitt moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1584**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SB 640**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SB 786**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Emery moved that **HCS** for **HB 1713**, with **SCS**, **SA 2**, **SA 1** to **SA 2** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Keaveny, the point of order was withdrawn.

At the request of Senator Schatz, **SA 2** was withdrawn, rendering **SA 1** to **SA 2** moot.

Senator Schatz offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“67.5070. 1. As used in this section, “design-build contract” shall mean any contract that furnishes architecture or engineering services and construction services either directly or through subcontracts.

2. Any political subdivision may enter into a design-build contract for engineering, design, and construction of a waste water or water treatment project.

3. In disbursing community development block grants under 42 U.S.C. Sections 5301 to 5321, the department of economic development shall not reject waste water or water treatment projects solely for utilizing design-build.

4. The department of natural resources shall not preclude design-build contracts from consideration of funding provided by the water and wastewater loan fund established in section 644.122.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf assumed the Chair.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 644.200, Line 20, by inserting after all of said line the following:

“Section 1. The new wastewater line from Purdy to Monett shall be known as the “Senator David Sater Sewer Line”.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 4**. He was joined in his request by Senators Munzlinger, Nasheed, Romine and Walsh.

At the request of Senator Pearce, **SA 4** was withdrawn.

Senator Wallingford offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1713, Page 4, Section 256.447, Line 12, by inserting after all of said line the following:

“640.136. 1. Any public water system, as defined in section 640.102, or public water supply district, as defined in chapter 247, which intends to make modifications to fluoridation of its water supply shall notify the department of natural resources, the department of health and senior services, and its customers of its intentions at least ninety days prior to any vote on the matter. The public water system or public water supply district shall notify its customers via radio, television, newspaper, regular mail, electronic means, or any combination of notification methods to most effectively notify customers at least ninety days prior to any meeting at which the vote will occur. Any public water system or public water supply district that violates the notification requirements of this section shall return the fluoridation of its water supply to its previous level until proper notification is provided under the provisions of this section.

2. In the case of an investor-owned water system, the entity calling for the discussion of modifications to fluoridation shall be responsible for the provisions of this section.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Emery moved that **SCS** for **HCS** for **HB 1713**, as amended, be adopted, which motion

prevailed.

On motion of Senator Emery, **SCS** for **HCS** for **HB 1713**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Holsman Schupp—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Holsman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2332**, with **SCS**, entitled:

An Act to repeal sections 272.030, 272.230, 327.272, 475.125, 476.083, 477.650, 562.014, 565.030, 566.210, 566.211, 566.212, 566.213, 578.007, 578.022, 579.015, and 595.226, RSMo, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as

enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, sections 557.021, 566.209, 570.030, 570.135, 574.010, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof thirty-one new sections relating to judicial proceedings, with penalty provisions.

Was taken up by Senator Dixon.

SCS for **HCS** for **HB 2332**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2332

An Act to repeal sections 192.2260, 192.2405, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill nos. 302 & 38, ninety-first general assembly, first regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof twenty-six new sections relating to restructuring the Missouri criminal code, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 2332** be adopted.

Senator Dixon offered **SS** for **SCS** for **HCS** for **HB 2332**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2332

An Act to repeal sections 192.2260, 192.2405, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.007, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299

merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010, 577.012, 577.013, and 577.014 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof thirty-one new sections relating to restructuring the Missouri criminal code, with penalty provisions and an effective date for certain sections.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 2332** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2332, Page 33, Section 562.014, Line 6 of said page, by inserting after all of said line the following:

“563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual claiming a justification of using protective force under this section.

3. A person **who is not engaged in an unlawful activity** does not have a duty to retreat from [a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual] **any place he or she has a right to be.**

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Dixon raised the point of order that **SA 1** is out of order as it goes beyond the scope of the title of the Senate Substitute.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **HCS** for **HB 2332**, with **SCS**, **SS** for **SCS**, **SA 1** and point of order (pending), back on the Informal Calendar.

HCS for **HB 1684**, entitled:

An Act to repeal section 72.150, RSMo, and to enact in lieu thereof one new section relating to the consolidation of certain cities, towns, or villages.

Was taken up by Senator Riddle.

On motion of Senator Riddle, **HCS** for **HB 1684** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 732**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 732

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 732, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, & 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, House Amendment No. 1 to House Amendment No. 13, and House Amendment No. 13, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 732, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 732;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 732 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Doug Libla
/s/ Jay Wasson
/s/ Shalonn "Kiki" Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Shawn Rhoads
/s/ Robert Ross
/s/ Jeanie Lauer
/s/ Tracy McCreery
/s/ Mike Colona

Senator Munzlinger moved that the above conference committee report be adopted.

At the request of Senator Munzlinger, the above motion was withdrawn.

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the

House on **SB 700**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 700

The Conference Committee appointed on Senate Bill No. 700, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, and House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 700, as amended;
2. That the Senate recede from its position on Senate Bill No. 700;
3. That the attached Conference Committee Substitute for Senate Bill No. 700 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz
/s/ Mike Parson
/s/ Doug Libla
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Dean Dohrman
/s/ Robert Ross
/s/ Charlie Davis
/s/ Stephen Webber
/s/ Jon Carpenter

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schatz, **CCS** for **SB 700**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 700

An Act to repeal sections 287.090, 287.957, and 287.975, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SBs 865** and **866**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 865 & 866

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment Nos. 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 865 & 866 be Third Read and Finally Passed.

FOR THE SENATE:
/s/ David Sater

FOR THE HOUSE:
/s/ Kevin Engler

/s/ Mike Cunningham
 /s/ Mike Parson
 /s/ Scott Sifton
 /s/ Jill Schupp

/s/ Lynn Morris
 /s/ John D. Wiemann
 /s/ Margo McNeil
 /s/ Kip Kendrick

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS** for **HCS** for **SS** for **SCS** for **SBs 865** and **866**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILLS NOS. 865 and 866

An Act to repeal sections 338.270, 338.347, 374.185, 376.1237, 379.934, 379.936, 379.938, and 379.940, RSMo, and to enact in lieu thereof sixteen new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Keaveny, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 578**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 578;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 578 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny

Scott Sifton

/s/ Bob Dixon

/s/ Ed Emery

/s/ Bob Onder

FOR THE HOUSE:

/s/ Caleb Jones

Kirk Mathews

/s/ Rocky Miller

/s/ Gina Mitten

Mike Colona

Senator Keaveny moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Keaveny, **CCS** for **HCS** for **SCS** for **SB 578**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 578

An Act to repeal sections 476.083, 478.430, 478.433, 478.705, 513.430, 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-eight new sections relating to judicial proceedings.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 572**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate

Committee Substitute for Senate Bill No. 572, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, and House Amendment No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 572;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt
 /s/ Kurt Schaefer
 /s/ Bob Dixon
 /s/ Joseph Keaveny
 /s/ Jason Holsman

FOR THE HOUSE:

/s/ Robert Cornejo
 /s/ Joe Don McGaugh
 /s/ Paul Curtman
 /s/ John Rizzo
 Gina Mitten

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **CCS** for **HCS** for **SS** for **SCS** for **SB 572**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 572

An Act to repeal sections 67.287, 67.398, 67.402, 67.451, 79.490, 80.570, 304.190, 479.020, 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof twenty-six new sections

relating to municipalities, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that the Senate refuse to recede from its position on **HB 1870**, as amended, and request the House take up and pass **HB 1870**, as amended.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 2453**, with **SCS**, entitled:

An Act to authorize the conveyance of property owned by the state in Buchanan County to the City of St. Joseph, with an emergency clause.

Was called from the Consent Calendar and taken up by Senator Schaaf.

SCS for **HCS** for **HB 2453**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2453

An Act to conveyance of certain state properties, with an emergency clause for a certain section.

Was taken up.

Senator Schaaf moved that **SCS** for **HCS** for **HB 2453** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **HCS** for **HB 2453** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1593, introduced by Representative Crawford, entitled:

An Act to repeal section 139.250, RSMo, and to enact in lieu thereof one new section relating to payments due by collectors.

Was called from the Consent Calendar and taken up by Senator Hegeman.

On motion of Senator Hegeman, **HB 1593** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2591, introduced by Representative Richardson, **HB 1958**, introduced by Representative Basye, and **HB 2369**, introduced by Representative Bahr, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto six new sections relating to the designation of highways.

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Were called from the Consent Calendar and taken up by Senator Libla.

SCS for **HB 2591**, **HB 1958** and **HB 2369**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2591 and
HOUSE BILL NO. 1958 and
HOUSE BILL NO. 2369

An Act to amend chapter 227, RSMo, by adding thereto twelve new sections relating to the designation of certain transportation infrastructure.

Was taken up.

Senator Libla moved that **SCS** for **HB 2591**, **HB 1958** and **HB 2369** be adopted, which motion prevailed.

On motion of Senator Libla, **SCS** for **HB 2591**, **HB 1958** and **HB 2369** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 2335, introduced by Representative Houghton, with **SCS**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Was called from the Consent Calendar and taken up by Senator Riddle.

SCS for **HB 2335**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2335

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to the designation of certain memorial transportation infrastructure.

Was taken up.

Senator Riddle moved that **SCS** for **HB 2335** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **HB 2335** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the conference committee report on **CCS** for **HCS** for **SS** for **SB 732**, as amended, be again taken up for adoption, which motion prevailed.

Senator Munzlinger moved that the conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senators

Emery Wieland—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, **CCS** for **HCS** for **SS** for **SB 732**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 732

An Act to repeal sections 43.545, 44.010, 44.023, 44.032, 67.145, 67.281, 70.210, 84.720, 94.902, 190.055, 190.102, 190.103, 190.142, 190.165, 190.241, 190.335, 192.737, 192.2400, 192.2405, 304.022, 307.175, 321.017, 321.130, 321.210, 455.543, 455.545, and 610.100, RSMo, and section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 575.145 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.145 as enacted by house bill no. 1270 and house bill no. 2032, ninety-first general assembly, second regular session, and to enact in lieu thereof thirty-seven new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senators

Emery Wieland—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1472, introduced by Representative Dugger, entitled:

An Act to repeal section 105.669, RSMo, and to enact in lieu thereof one new section relating to public employee retirement plan benefits.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HB 1472**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1472

An Act to repeal sections 105.661, 105.666, 105.669, 105.683, and 476.521, RSMo, and to enact in lieu thereof five new sections relating to public employee retirement plans.

Senator Dixon moved that **SS** for **HB 1472** be adopted.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1472, Page 7, Section 105.683, Line 25 of said page, by inserting immediately after the word “under” the following: “**sections 50.1000 to 50.1300,**”; and further amend line 26, by inserting immediately after “169.141” a comma “,”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Riddle offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 1472, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“70.621. 1. In the event a political subdivision has in effect for all or part of its employees a plan similar in purpose to the Missouri local government employees' retirement system, and in the further event such a political subdivision is an employer in the system, at the request of the political subdivision the board of the system may at its sole discretion enter into an agreement with such an employer whereby the system assumes all duties and responsibilities of operating the employer's prior plan.

2. After making the necessary changes to the statute, city ordinance, city charter, or governing documents of the employer's prior plan and upon receiving a concurring resolution from the board of trustees of the prior plan after a simple majority vote of the active employees of the prior plan, such employer may enter into an agreement with the board of the system to operate the employer's prior plan so long as an election has been made to cover new employees under section 70.630. Upon entering into such agreement, the employer shall irrevocably delegate and cede all operational duties and responsibilities to the system. Upon entering into such an agreement, the board of the system shall become the governing board of the employer's prior plan. The employer's prior plan shall be administered as a frozen prior plan by the system and shall continue to operate under its existing governing documents in all other respects.

3. Where an agreement authorized by this section is entered into by an employer and the system, the employer shall continue to have sole responsibility for the full funding of its prior plan including all related expenses. If any employer fails to make any payment due under the prior plan, the provisions of section 70.735 shall apply.

4. The system shall formulate and adopt rules and regulations for the government of its own proceedings relating to this section and for the administration of this section, as the board may deem necessary.”; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 1472, Page 1, In the Title, Line 5 by inserting immediately after the word “plans” the following: “, with an effective date for a certain section”; and

Further amend said bill and page, section A, line 4 of said page, by inserting after all of said line the following:

“104.1205. The board of trustees of the Missouri state employees’ retirement system shall:

(1) Establish a defined contribution plan for outside employees which, among other things, provides for immediate vesting;

(2) Select a third-party administrator to provide such services as the board determines to be necessary for the proper administration of the defined contribution plan;

(3) Select the investment products which shall be made available to the participants in the defined contribution plan;

(4) Annually establish the contribution rate used for purposes of subsection 3 of section 104.1066 for employees of institutions who are other than outside employees, which shall be done by considering all such employees to be part of the general employee population within the Missouri state employees’ retirement system;

(5) Establish the contribution rate for outside employees which shall be equal to [one] **five and one-half** percent of payroll [less than the normal cost contribution rate established pursuant to subdivision (4) of this section];

(6) Require outside employees to contribute two percent of the employee’s pay to the defined contribution plan which shall be credited to a separate account within the outside employee’s individual account. The employing institution, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay such contributions. The contributions so picked up shall be treated as employer contributions for purposes of determining the outside employee’s pay that is includable in the outside employee’s gross income for federal income tax purposes. The outside employee’s contributions picked up by the employing institution shall be:

(a) Paid from the same source of funds used for the payment of pay to an outside employee. A deduction shall be made from each outside employee’s pay equal to the amount of the outside employee’s contributions picked up by the employing institution; and

(b) Paid by the employing institution in lieu of the contributions by the outside employee, although designated as employee contributions. The outside employee shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employing institution to the defined contribution plan; and

[(6)] **(7) Establish such rules and regulations as may be necessary to carry out the purposes of this section.”; and**

Further amend said bill, page 13, section 476.521, line 17 of said page, by inserting after all said line

the following:

“Section B. The repeal and reenactment of section 104.1205 of this act shall become effective July 1, 2017.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 1472, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“104.037. If a retired member of the Missouri department of transportation and highway patrol employees’ retirement system or the Missouri state employees’ retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member’s creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.380. **1. Except as provided in subsection 2 of this section,** if a retired member is elected to any state office or is appointed to any state office or is employed by a department in a position normally requiring the performance by the person of duties during not less than one thousand forty hours per year, the member shall not receive an annuity for any month or part of a month for which the member serves as an officer or employee, but the member shall be considered to be a new employee with no previous creditable service and must accrue creditable service continuously for at least one year in order to receive any additional annuity. Any retired member who again becomes an employee and who accrues additional creditable service and later retires shall receive an additional amount of monthly annuity calculated to include only the creditable service and the average compensation earned by the member since such employment or creditable service earned as a member of the general assembly. Years of membership service and twelfths of a year are to be used in calculating any additional annuity except for creditable service earned as a member of the general assembly, and such additional annuity shall be based on the type of service accrued. In either event, the original annuity and the additional annuity, if any, shall be paid commencing with the end of the first month after the month during which the member’s term of office has been completed, or the member’s employment terminated. If a retired member is employed by a department in a position that does not normally require the person to perform duties during at least one thousand forty hours per year, the member shall not be considered an employee as defined pursuant to section 104.010. A retired member who becomes reemployed as an employee on or after August 28, 2001, in a position covered by the Missouri department of transportation and highway patrol employees’ retirement system shall not be eligible to receive retirement benefits or additional creditable service from the state employees’ retirement system. Annual benefit increases paid under section 104.415 shall not accrue while a retired member is employed as described in this section. Any future annual benefit increases paid after the member terminates such employment will be paid in the same month as the member’s original annual benefit increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any additional annuity paid under this section.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.1039. **1. Except as provided in subsection 2 of this section,** if a retiree is employed as an employee by a department, the retiree shall not receive an annuity payment for any calendar month in which the retiree is so employed. While reemployed the retiree shall be considered to be a new employee with no previous credited service and must accrue credited service continuously for at least one year in order to receive any additional annuity. Such retiree shall receive an additional annuity in addition to the original annuity, calculated based only on the credited service and the pay earned by such retiree during reemployment and paid in accordance with the annuity option originally elected; provided such retiree who ceases to receive an annuity pursuant to this section shall not receive such additional annuity if such retiree is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this chapter. The original annuity and any additional annuity shall be paid commencing as of the end of the first month after the month during which the retiree's reemployment terminates. Cost-of-living adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in this section. Any future cost-of-living adjustments paid after the retiree terminates such employment will be paid in the same month as the retiree's original annual benefit increases were paid.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Dixon, **HB 1472**, with **SS** and **SA 4** (pending), was placed on the Informal Calendar.

Senator Riddle assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1584**, as amended: Senators Schmitt, Schaefer, Dixon, Keaveny and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 973**, as amended: Senators Wasson, Cunningham, Sater, Schupp and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 638**, as amended: Senators Riddle, Onder, Emery, Holsman and Nasheed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 2237**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1451**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1716**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1695**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HBs 1589** and **2307**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 2194**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 2445**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 1786**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle assumed the Chair.

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 2201, regarding Terri Rolfe Lawrence, Maplewood, which was adopted.

Senator Hegeman offered Senate Resolution No. 2202, regarding Lukas Erickson, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2203, regarding the Sixty-fifth Wedding Anniversary of Phillip and Meta Hull, Tarkio, which was adopted.

Senator Hegeman offered Senate Resolution No. 2204, regarding the Fiftieth Wedding Anniversary of Gary and Clarice Lawrence, Milan, which was adopted.

Senator Hegeman offered Senate Resolution No. 2205, regarding the One Hundredth Birthday of Faye Moses, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 2206, regarding the Fiftieth Wedding Anniversary of Wayne and Bonnie Collins, Barnard, which was adopted.

Senator Pearce offered Senate Resolution No. 2207, regarding Kari Collett, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 2208, regarding the One Hundred Seventy-fifth Anniversary of Henderson's Drug Store, Glasgow, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2209, regarding Farm Credit System and FCS Financial, which was adopted.

Senator Cunningham offered Senate Resolution No. 2210, regarding Linda Sharp, Marshfield, which was adopted.

Senator Cunningham offered Senate Resolution No. 2211, regarding Loy Shortt, Ava, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, May 9, 2016.

SENATE CALENDAR

SIXTY-SIXTH DAY—MONDAY, MAY 9, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566
HCS for HB 1605

HCS for HJR 98

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HCS for HB 1941, with SCS (Keaveny)
(In Fiscal Oversight)
4. HCS for HB 1463 (Kraus)
(In Fiscal Oversight)
5. HCS for HB 1583, with SCS (Schmitt)
6. HCS for HB 2379, with SCS (Kehoe)
(In Fiscal Oversight)
7. HCS for HB 1912, with SCS (Schatz)
8. HB 1816-Koenig, with SCS (Wasson)
(In Fiscal Oversight)
9. HCS for HB 1718 (Romine)

10. HCS for HB 2496 (Hegeman)
11. HCS for HB 2402, with SCS (Pearce)
(In Fiscal Oversight)
12. HCS for HB 1561, with SCS (Schatz)
13. HB 2237-Rowden
14. HCS for HB 1451, with SCS (Pearce)
15. HB 1716-Lichtenegger, with SCS
(Munzlinger)
16. HCS for HB 1695, with SCS (Wasson)
17. HCS for HBs 1589 & 2307, with SCS
(Emery)
18. HCS for HB 2194, with SCS (Wasson)
19. HCS for HB 2445 (Libla)
20. HB 1786-Pike, with SCS (Pearce)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS & SA 1 (pending)	SB 883-Riddle
SB 580-Schaaf, with SCS & SA 2 (pending)	SB 894-Munzlinger, with SS (pending)
SB 596-Kraus, with SCS	SB 896-Hegeman
SB 622-Romine, with SCS	SB 898-Cunningham
SB 644-Onder, with SCS	SB 908-Sater, with SCS
SCS for SBs 662 & 587-Dixon	SB 916-Schaefer
SB 680-Emery	SB 920-Schmitt and Kraus
SB 686-Wallingford, with SCS	SB 951-Wasson, with SA 1 (pending)
SB 706-Dixon	SB 964-Wallingford, with SCS (pending)
SB 719-Emery, with SCS	SB 966-Schaaf
SB 733-Dixon	SB 972-Silvey
SB 734-Dixon	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 771-Onder	SB 995-Riddle
SB 772-Onder, with SCS	SB 1003-Onder
SB 774-Schmitt	SB 1004-Onder
SB 775-Schaefer	SB 1005-Walsh
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)	SBs 1010, 958 & 878-Curls, with SCS
SBs 789 & 595-Wasson, with SCS	SB 1012-Dixon
SB 792-Richard	SB 1014-Dixon
SB 793-Richard	SB 1026-Schatz, with SCS
SB 798-Kraus, with SCS	SB 1028-Silvey, et al, with SCS
SB 802-Sater	SB 1033-Pearce
SB 805-Onder, with SCS	SB 1066-Curls
SB 806-Onder, with SCS	SB 1074-Schmitt, with SCS
SB 812-Keaveny	SB 1075-Wallingford
SB 816-Wieland, et al	SB 1085-Pearce
SB 825-Munzlinger, with SA 1 (pending)	SB 1091-Riddle
SB 830-Wasson, with SCS	SB 1094-Kehoe, with SCS
SB 848-Emery, with SCS	SB 1096-Dixon and Keaveny, with SS (pending)
SBs 851 & 694-Brown, with SCS	SB 1117-Wasson, with SCS
SB 853-Brown	SB 1120-Hegeman, et al
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1131-Sifton
SB 868-Wasson	SB 1144-Brown
SB 871-Wallingford	SJR 23-Sater, with SS (pending)
	SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)
HCS for HBs 1434 & 1600, with SCS (Walsh)
HB 1435-Koenig (Kraus)
HB 1443-Leara, with SA 1 (pending)
(Riddle)
HB 1452-Hoskins, with SCS (Pearce)
HCS for HB 1464, with SCS (Brown)
HB 1472-Dugger, with SS & SA 4 (pending)
(Dixon)
HCS for HB 1474, with SCS (Kraus)
HB 1478-Entlicher, with SCS (Pearce)
HB 1479-Entlicher (Romine)
HB 1534-Flanigan, with SCS (Schaefer)
HB 1565-Engler (Dixon)
HB 1575-Rowden, with SCA 1 (Onder)
HB 1588-Franklin, with SCS (Parson)
HCS for HB 1599, with SCS (Sater)
HB 1619-McCaherty (Dixon)
HB 1643-Hicks (Brown)
HCS for HB 1649, with SCS (Parson)
HCS for HB 1658 (Onder)
HCS for HB 1675, with SCS (Munzlinger)
HB 1678-Solon, with SCS (Pearce)
HCS for HB 1696, with SCS (Riddle)
HCS for HB 1717, with SS (pending)
(Wallingford)
HCS for HB 1729 (Munzlinger)
HB 1745-Brattin, with SCS (Schatz)
HCS for HB 1759, with SCS (Dixon)
HCS for HB 1776 (Romine)
HCS for HBs 1780 & 1420 (Pearce)
HB 1795-Haefner, with SCS (Sater)
HCS for HB 1804, with SCS, SS for SCS,
SA 3 & SSA 1 for SA 3 (pending) (Emery)

HCS for HB 1850 (Wasson)
HB 1892-Rehder (Schatz)
HCS for HB 1898 (Emery)
HCS for HB 1904, with SCS (Wallingford)
HCS for HB 1930 (Riddle)
HCS for HB 2029 (Sater)
HCS for HB 2038 (Munzlinger)
HB 2104-Alferman, with SCS (Schmitt)
HB 2111-Eggleston (Sater)
HCS for HB 2150 (Wieland)
HB 2166-Alferman, with SCS, SS#2 for
SCS, SA 1 & SSA 1 for SA 1 (pending)
(Onder)
HCS for HB 2187, with SCS (pending)
(Cunningham)
HCS for HB 2202, with SCS (Dixon)
HB 2226-Barnes (Silvey)
HB 2230-Ross (Schatz)
HCS for HBs 2234 & 1985 (Pearce)
HB 2257-Jones, with SCS (Wieland)
HCS for HB 2332, with SCS, SS for SCS,
SA 1 & point of order (pending)
(Dixon)
HCS for HB 2376, with SCS (Wasson)
HCS for HB 2380, with SCS (Schatz)
HCS for HB 2381 (Munzlinger)
HCS for HB 2397 (Romine)
HB 2429-Dohrman, with SCS (Parson)
HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2689, with SS, SA 1 & SSA 1
for SA 1 (pending) (Silvey)
SS for HJR 53-Dugger (Kraus)
(In Fiscal Oversight)
HJR 58-Brown (57) (Romine)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)
HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 2183-Roeber (Curls)

HB 2480-Justus (Sater)
HB 1473-Dugger, with SCS (Wasson)
HB 1388-Roeber (Dixon)
HB 1851-Alferman, with SCS (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 688 & 854-Romine, with HCS,
as amended
SB 702-Munzlinger, with HA 1

SCS for SB 814-Wallingford, et al, with
HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS,
as amended (Senate adopted CCR &
passed CCS)
SCS for SB 578-Keaveny, with HCS, as
amended (Senate adopted CCR &
passed CCS)
SB 607-Sater, with HCS, as amended
SS for SB 608-Sater, with HCS, as amended
SS for SB 621-Romine, with HCS, as
amended
SB 635-Hegeman, with HCS, as amended
SCS for SB 638-Riddle and Silvey, with HA 1,
HA 2, HA 3, HA 4, HA 5, as amended,
HA 6, HA 7, HA 8, HA 9 & HA 10

SB 639-Riddle, with HCS, as amended
SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9
SB 677-Sater, with HCS, as amended
SB 700-Schatz, with HA 1, as amended &
HA 2 (Senate adopted CCR & passed CCS)
SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR &
passed CCS)
SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended
SCS for SB 823-Kraus, with HCS, as amended
SB 864-Sater, with HCS, as amended

SS for SCS for SBs 865 & 866-Sater, with HCS, as amended (Senate adopted CCR & passed CCS)
 SB 867-Sater, with HCS, as amended
 SCS for SB 921-Riddle, with HA 1, as amended, HA 2, HA 3, HA 4, HA 5 & HA 6, as amended

SCS for SB 973-Wasson, with HCS, as amended
 HCS for HB 1584, with SCS, as amended (Schmitt)

Requests to Recede or Grant Conference

SB 625-Walsh, with HCS, as amended (Senate requests House recede or grant conference)
 SB 640-Schatz, with HCS, as amended (Senate requests House recede or grant conference)
 SB 656-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 SCS for SB 703-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 SS for SB 786-Kraus, with HCS, as amended (Senate requests House recede or grant conference)

SB 852-Brown, with HA 1, HA 2, as amended & HA 3 (Senate requests House recede or grant conference)
 SB 988-Kraus, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5 (Senate requests House recede or grant conference)
 SB 994-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
 HB 1870-Hoskins, with SAs 1, 3, 4 & 5 (Pearce) (Senate requests House take up and pass the bill)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
 SCR 54-Walsh
 SCR 55-Holsman
 SCR 56-Brown
 SCR 59-Emery
 SCR 60-Curls
 SCR 61-Parson
 SCR 63-Curls and Munzlinger

SCR 68-Schupp
 SR 2062-Pearce
 HCS for HCR 57 (Schaefer)
 HCR 61-Engler (Dixon)
 HCR 63-Taylor (Wieland)
 HCR 69-Miller (Brown)
 HCS for HCR 73 (Brown)

To be Referred

SR 2196-Emery

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SIXTH DAY—MONDAY, MAY 9, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“As we have opportunity, let us do good unto all men.” (Galatians 6:10)

We are in our final week Lord and the tension and stress of this session and this day are increasing. So we pray that You walk with us so we do that which is pleasing in Your sight. Provide us strength that is needed to work the long hours that are before us and grant us peace of mind that we approach each bill brought before us in a calm and helpful manner so our decisions serve a good purpose. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Friday, May 6, 2016 was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senator Silvey—1

Vacancies—2

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 2212, regarding Drew T. Bourscheski, Columbia, which was adopted.

Senator Wasson offered Senate Resolution No. 2213, regarding Dr. Stephen L. Kleinsmith, Nixa, which was adopted.

Senator Dixon offered the following resolution:

SENATE RESOLUTION NO. 2214

Whereas, Harry Truman was born in 1884 at Lamar, Missouri, and spent most of his life in Independence, Missouri; and

Whereas, Harry Truman served honorably in the United States Army in Europe during the World War I; and

Whereas, Harry Truman married Bess Wallace in 1919, to whom he was married for fifty-three years until his death in 1972; and

Whereas, Harry Truman was elected as a local county official in 1922 in Jackson County, Missouri, and faithfully promoted improved transportation projects during his tenure; and

Whereas, Harry Truman was elected to the United States Senate in 1934, re-elected in 1940, and elected Vice President of the United States in 1944; and

Whereas, after serving as Vice President for only eighty-two days, Harry Truman became the President of the United States following the tragic death of President Franklin Roosevelt; and

Whereas, during his presidency many crucial decisions were made, including the decision to use the atomic bomb to end World War II, the adoption of the Marshall Plan to rebuild Europe, and the policy of containment to deal with the threat of Communism in the world; and

Whereas, Harry Truman was elected President in his own right in 1948 in an upset victory, and led the nation until his term ended on January 20, 1953, at which time he returned to Missouri, seeking neither fame nor excessive financial gain as an ex-president:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby honor Harry S Truman, the thirty-third President of the United States, for his steadfast leadership of the United States of America.

Senator Sater offered the following resolution:

SENATE RESOLUTION NO. 2215

Whereas, MO HealthNet, Missouri's Medicaid program, provides statewide medical assistance to low-income and vulnerable Missourians, including access to prescription drugs through MO HealthNet's Pharmacy Program; and

Whereas, prescription drugs, often a vital element in a patient's treatment plan and continued well-being, have grown increasingly expensive in recent years; and

Whereas, in 2016 alone, Americans will spend more than \$328 billion on prescription drug, \$110 billion of which will be paid by Medicare, Medicaid, and veterans' insurance; and

Whereas, in the MO HealthNet program, costs for specialty drugs and generic equivalent drugs have risen 59% in recent years, resulting in prescription drug costs of over \$1.8 billion; and

Whereas, in 2014, the cost of one drug provided to just 311 MO HealthNet participants was \$26 million. The cost of another drug, prescribed to about 15,000 MO HealthNet participants, totaled more than \$75 million; and

Whereas, the continued trend of increased prescription drug costs is unsustainable and represents a budgetary crisis for the MO HealthNet program, as well as increased hardship and uncertainty for the health and welfare of Missouri residents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Interim Committee on MO HealthNet Pharmacy Benefits; and

Be It Further Resolved that such committee be composed of five members of the Senate, to be appointed by the President Pro Tempore, with three members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning pharmacy benefits under the MO HealthNet program and potential cost savings strategies; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the Missouri Senate by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit any input and information necessary to fulfill its obligations from the appropriate state departments and agencies, including the Department of Social Services, as well as health care provider and patient advocacy organizations;

and

Be It Further Resolved that the staffs of Senate Research and Senate Appropriations shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that the committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee.

Senator Cunningham offered the following resolution:

SENATE RESOLUTION NO. 2216

Whereas, long-term care provides a broad range of medical, personal, and social services and supports in-home and community settings for persons in need of care due to age, illness, accident, or disability, including many Missouri veterans who have served and protected Missouri residents and the nation; and

Whereas, over ten million people in the United States need some form of long-term care services. However, in 2014, according to the Henry J. Kaiser Family Foundation, the average occupancy rate of certified beds in certified nursing facilities in Missouri was 72.5%, which was the ninth lowest in the nation. Some counties in Missouri have significantly lower occupancy rates, resulting in an overabundance of available beds for the current long-term care facility resident population; and

Whereas, in Missouri, the average annual cost of a semi-private room in nursing home is nearly \$51,000. While some nursing home residents are able to pay the cost of care with long-term care insurance or private savings, many more rely on familial assistance and government programs such as Medicaid, Medicare, and veterans' assistance. On average, over 70% of the total cost of a resident's stay in a long-term care facility is paid by either the federal or state government; and

Whereas, the general underutilization of beds in Missouri long-term care facilities, the disproportionate distribution of beds to residents in many counties, and the high cost of care for vital long-term care services for the elderly, disabled, and veteran populations has resulted in a crisis in the provision of adequate and financially-sustainable long-term care for Missouri residents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Interim Committee on Long-Term Care Facilities; and

Be It Further Resolved that such committee be composed of five members of the Senate, to be appointed by the President Pro Tempore, with three members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning:

(1) The relationship between certificate of need laws for long-term care facilities, the role of the Missouri Health Facilities Review Committee, and the current occupancy and utilization of long-term care beds in Missouri, including beds in hospitals, long-term care facilities, and veterans homes;

(2) Methods to improve quality of care and reduce costs in long-term care facilities, including exploring alternative financial strategies such as public-private partnerships; and

(3) The role of legislators serving on the Missouri Health Facilities Review Committee; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the Missouri Senate by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit input and information necessary to fulfill its obligations from the Department of Health and Senior Services, the Department of Social Services, the Department of Mental Health, the Missouri Veterans Commission, the Missouri Health Facilities Review Committee, and appropriate leaders in the long-term care industry in Missouri; and

Be It Further Resolved that the staffs of Senate Research and Senate Appropriations shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that the committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 1451**, with **SCS**; **HB 1716**, with **SCS**; and **HCS** for **HBs 1589** and **2307**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Richard referred **SR 2196** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS for HB 1463**; **HB 1816**, with **SCS**; **HCS for HB 1941**, with **SCS**; **HCS for HB 2379**, with **SCS**; **HCS for HB 2402**, with **SCS**; and **SS for HJR 53**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

HCS for HB 2381, entitled:

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to mine property.

Was taken up by Senator Munzlinger.

Senator Munzlinger offered **SS for HCS for HB 2381**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2381

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to mine property.

Senator Munzlinger moved that **SS for HCS for HB 2381** be adopted.

Senator Riddle offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 2381, Page 10, Section 137.115, Line 13 of said page, by striking the word “not”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS for HCS for HB 2381**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS for HCS for HB 2381**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senator Silvey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2380, with **SCS**, entitled:

An Act to repeal sections 301.010, 301.130, 301.134, 301.144, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.475, 301.477, 301.481, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, and 301.3170, RSMo, and to enact in lieu thereof one hundred ten new sections relating to license plates, with an emergency clause for a certain section.

Was taken up by Senator Schatz.

SCS for HCS for HB 2380, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2380

An Act to repeal sections 301.010, 301.130, 301.134, 301.144, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.475, 301.477, 301.481, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, and 301.3170, RSMo, and to enact in lieu thereof one hundred ten new sections relating to license plates.

Was taken up.

Senator Schatz moved that **SCS for HCS for HB 2380** be adopted.

Senator Schatz offered **SS** for **SCS** for **HCS** for **HB 2380**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2380

An Act to repeal sections 301.010, 301.067, 301.130, 301.134, 301.144, 301.145, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.474, 301.475, 301.477, 301.481, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3166, 301.3167, 301.3168, 301.3169, and 301.3170, RSMo, and to enact in lieu thereof one hundred twelve new sections relating to license plates.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 2380** be adopted.

President Kinder assumed the Chair.

Senator Riddle offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2380, Page 61, Section 301.473, Line 28 of said page, by inserting an opening bracket “[” immediately before the word “which”; and

Further amend said bill and section, Page 62, Line 2 of said page, by inserting a closing bracket “]” after “plate,”; and further amend line 6 of said page, by inserting an opening bracket “[” immediately before the word “Once”; and further amend line 13 of said page, by inserting a closing bracket “]” after “plates.”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 2380**, as amended, be adopted, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 2380**, as amended, be read the 3rd time and was recognized to close.

President Pro Tem Richard referred **SS** for **SCS** for **HCS** for **HB 2380**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

At the request of Senator Keaveny, **HCS** for **HB 1941**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 1463** was placed on the Informal Calendar.

HCS for HB 1583, with **SCS**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof three new sections relating to student safety.

Was taken up by Senator Schmitt.

SCS for HCS for HB 1583, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1583

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof three new sections relating to student safety.

Was taken up.

Senator Schmitt moved that **SCS for HCS for HB 1583** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1583, Page 4, Section 170.047, Line 1, by striking “2017-18” and inserting in lieu thereof “**2017-2018**”; and further amend line 12, by striking the word “means” and inserting in lieu thereof the following: “**shall refer to**”; and

Further amend said bill and page, section 170.048, line 2, by inserting immediately after “including” the following: “**plans for how the district will provide for**”; and

Further amend said bill and section, page 5, line 3, by inserting immediately after the word “of” the word “**its**”; and further amend line 4, by striking the word “need”.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS for HCS for HB 1583**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS for HCS for HB 1583**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Silvey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 1474, with **SCS**, entitled:

An Act to repeal sections 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, and 130.071 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof two new sections relating to certain sections declared unconstitutional, with a delayed effective date for certain sections.

Was taken up by Senator Kraus.

SCS for HCS for HB 1474, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1474

An Act to repeal section 130.026 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.057 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof two new sections relating to the requirement of filing certain disclosure reports in an electronic format with the Missouri ethics commission.

Was taken up.

Senator Riddle assumed the Chair.

Senator Kraus moved that **SCS for HCS for HB 1474** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS for HCS for HB 1474** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Emery	Parson	Schaaf—3
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Absent—Senators—None

Absent with leave—Senator Silvey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Wallingford moved that **SCS** for **SB 814**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 814**, as amended, was taken up.

Under the provisions of Senate Rule 91, Senator Kraus was excused from voting on the adoption of **HCS** for **SCS** for **SB 814**, as amended, and third reading of the bill.

Senator Wallingford moved that **HCS** for **SCS** for **SB 814**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Silvey—1

Excused from voting—Senator Kraus—1

Vacancies—2

On motion of Senator Wallingford, **HCS** for **SCS** for **SB 814**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Silvey—1

Excused from voting—Senator Kraus—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that **SB 702**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Munzlinger moved that **HA 1**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Keaveny Schaaf—2

Absent—Senators

Holsman Schmitt—2

Absent with leave—Senator Silvey—1

Vacancies—2

On motion of Senator Munzlinger, **SB 702**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schatz
Schupp	Sifton	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Keaveny Schaaf—2

Absent—Senators

Schaefer Schmitt Walsh—3

Absent with leave—Senator Silvey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1851, introduced by Representative Alferman, with **SCS**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

Was called from the Consent Calendar and taken up by Senator Schatz.

SCS for **HB 1851**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1851

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the designation of the German Heritage Corridor of Missouri.

Was taken up.

Senator Schatz moved that **SCS** for **HB 1851** be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **HB 1851** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Schupp—1

Absent with leave—Senator Silvey—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 932**, entitled:

An Act to repeal sections 370.230, 486.245, 486.275, 486.285, 486.305, 486.310, and 486.375, RSMo, and to enact in lieu thereof seven new sections relating to regulation of bonded entities, with a penalty provision.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 932, Page 2, Section 370.230, Line 23, by inserting after all of said section and line the following:

“375.971. 1. As used in this section, the following terms mean:

(1) “Federal home loan bank”, a federal home loan bank established under the federal Home Loan Bank Act, 12 U.S.C. Section 1421, et seq.;

(2) “Insurer-member”, an insurer who is a member of a federal home loan bank.

2. Notwithstanding any other provision to the contrary, no federal home loan bank shall be stayed or prohibited from exercising its rights regarding collateral pledged by an insurer-member.

3. If a federal home loan bank exercises its rights regarding collateral pledged by an insurer-member who is subject to a delinquency proceeding, the federal home loan bank shall repurchase any outstanding capital stock that is in excess of that amount of federal home loan bank stock that the insurer-member is required to hold as a minimum investment, to the extent the federal home loan bank in good faith determines the repurchase to be permissible under applicable laws, regulations, regulatory obligations, and the federal home loan bank’s capital plan, and consistent with the federal home loan bank’s current capital stock practices applicable to its entire membership.

4. Following the appointment of a receiver for an insurer-member, the federal home loan bank shall, within ten business days after a request from the receiver, provide a process and establish a timeline for the following:

(1) The release of collateral that exceeds the amount required to support secured obligations remaining after any repayment of loans as determined in accordance with the applicable agreements between the federal home loan bank and the insurer-member;

(2) The release of any of the insurer-member’s collateral remaining in the federal home loan bank’s possession following repayment of all outstanding secured obligations of the insurer-member in full;

(3) The payment of fees owed by the insurer-member and the operation of deposits and other accounts of the insurer-member with the federal home loan bank; and

(4) The possible redemption or repurchase of federal home loan bank stock or excess stock of any class that an insurer-member is required to own.

5. Upon request from a receiver, the federal home loan bank shall provide any available options for an insurer-member subject to a delinquency proceeding to renew or restructure a loan to defer associated prepayment fees, subject to market conditions, the terms of any loans outstanding to the insurer-member, the applicable policies of the federal home loan bank, and the federal home loan bank’s compliance with federal laws and regulations.

6. Notwithstanding any other provision of law to the contrary, the receiver for an insurer-member shall not void any transfer of, or any obligation to transfer, money or any other property arising under or in connection with any federal home loan bank security agreement, or any pledge, security, collateral, or guarantee agreement, or any other similar arrangement or credit enhancement relating

to a federal home loan bank security agreement made in the ordinary course of business and in compliance with the applicable federal home loan bank agreement. However, a transfer may be avoided under this subsection if the transfer was made with intent to hinder, delay, or defraud the insurer-member, the receiver for the insurer-member, or existing or future creditors. This subsection shall not affect a receiver's rights regarding advances to an insurer-member in delinquency proceedings under 12 CFR Part 1266.4.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 932, Page 4, Section 486.375, Line 3, by deleting the opening bracket “[“ before the word “misdemeanor”; and

Further amend said bill, page and section, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“by imprisonment for not more than six months or both, unless such act results in a fraudulent act involving property, such person shall be guilty of a class E felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 988** with **HA 1, HA 2, HA 3, HA 1 to HA 4, HA 4** as amended, **HA 5**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SCS for SB 703**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 852** with **HA 1, HA 1 to HA 2, HA 2** as amended, **HA 3**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 656**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SS for SB 786**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 625**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 994**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 735**, entitled:

An Act to repeal sections 477.650, 600.042, 600.090, and 600.101, RSMo, and section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, and to enact in lieu thereof five new sections relating to judicial proceedings, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 735, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) “Custody” means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;

(2) **“In vitro human embryo”, any human embryo at any stage of development which is not conceived within a female;**

(3) “Joint legal custody” means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

[(3)] (4) “Joint physical custody” means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

[(4)] (5) **“Surrogate”, a woman who is not an ovum donor, but in whose womb an in vitro human embryo is implanted;**

(6) “Third-party custody” means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child’s parents as to custody and the proposed parenting plan submitted by both

parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child's best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child's adjustment to the child's home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child's custodian.

The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

(e) A violation of section 568.080;

(f) A violation of section 568.090; or

(g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection [7] **8** of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

14. If a dispute is brought before a court of this state involving the custody of in vitro human embryos, the court shall render a decision according to the following standards:

(1) The court shall determine custody in accordance with the best interest of the in vitro human embryo. It is presumed that it is in the best interest of the in vitro human embryo to place him or her in the custody of the ovum donor or spermatozoon donor who intends to develop the in vitro human embryo to birth, subject to rebuttal evidence;

(2) The court shall resolve the dispute between the parties in the manner that provides the best chance for the in vitro human embryo to develop and grow. The court shall not approve either the termination of the in vitro human embryo or an outcome that leaves the in vitro human embryo indefinitely in an environment in which it does not develop and grow;

(3) The following persons have standing to petition the court or to intervene in a case: the ovum donor, spermatozoon donor, the surrogate in which the in vitro human embryo at issue has been placed, or any other party involved in the negotiations for the creation of the in vitro human embryo at issue;

(4) The court may uphold an agreement between the parties to an action establishing or terminating parental rights as not against public policy. Notwithstanding the provisions of chapters 211 and 435, the noncustodial party may terminate his or her parental rights by filing an affidavit with the court. Upon receipt of such an affidavit, the court shall enter an order terminating such noncustodial party's parental rights. If parental rights have been terminated under this subdivision, then a claim for child support by the custodial party shall not be maintained against the noncustodial party; and

(5) All agreements brought before the court concerning the disposition of in vitro human embryos shall be subject to the provisions of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 799**, entitled:

An Act to repeal sections 144.087, 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof eighteen new sections relating to business fees.

HCS Part 1 defeated.

With House Amendment Nos. 2, 3, 4, 6, 8 and 9, to Part 2 adopted.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the phrase “business fees” and inserting in lieu thereof the phrase “political subdivisions”; and

Further amend said bill and page, Section A, Line 6, by inserting immediately after all of said line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections

50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 2, Section 144.087, Line 32, by inserting after all of said section and line the following:

“192.300. **1.** The county commissions [and] **with the concurrence of** the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198. The county commissions [and] **with the concurrence of** the county health center boards of the several counties may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or county health board], such commission [or county health board] shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or county health board] of any such county has full power and authority to initiate the prosecution of any action under this section.

2. Notwithstanding the provisions of subsection 1 of this section, in the event of an emergency, a county commission or the county health center board may make and promulgate any orders, ordinances, rules, or regulations in order to protect public health, safety, or welfare, but the orders, ordinances, rules, or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter or by the department of social services under chapter 198.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the words “business fees” and inserting in lieu thereof the words “the collection of public money”; and

Further amend said bill, page, Section A, Line 6, by inserting after all of said section and line the following:

“99.848. 1. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

2. In cities of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, In the Title, Line 4, by deleting the words “business fees” and inserting in lieu thereof the words “the collection of public money”; and

Further amend said bill and page, Section A, Line 6, by inserting after all of said section and line the following:

“67.547. 1. In addition to the tax authorized by section 67.505, any county may, by a majority vote of its governing body, impose an additional county sales tax on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales tax allowed by law; except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose such tax.

2. (1) The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert rate) percent?

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(2) In any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants, the ballot of submission shall contain, but need not be limited to the following language:

Shall the county of (county's name) renew a countywide sales tax of (insert rate) percent?

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census.

6. In any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-fourths of the proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be distributed equally among the incorporated cities, towns, and villages of the county. Upon request from any city, town, or village within the county, the county shall make available for inspection the distribution report provided to the county by the department of revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

7. In any first class county having a charter form of government and having a population of nine

hundred thousand or more, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 23, Section 417.220, Line 19, by inserting after all of said section and line the following:

“Section 1. No person or entity, including but not limited to gas corporations under section 386.020, or contractors or installers, shall convert, or cause to be converted, any vent-free appliance covered by the ANSI standard Z21.11.2b-2013 or subsequent editions from the original fuel source to any other when such conversion is specifically prohibited by the manufacturer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 799, Page 1, Section 136.005, Line 8, by inserting after all of said section and line the following:

“144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined

by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.

6. Beginning January 1, 2017, a statement from the department of revenue stating no tax is due as required in this section shall be submitted by any person or entity that submits any bid to perform any work on any project upon which public funds are expended. All bids submitted shall also include a copy of the bidder's city and county business licenses, if applicable. No bid shall be awarded to any person or entity that submits any bid but fails to submit the statement that no tax is due and a copy of all the bidder's applicable business licenses as required in this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 640**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 1584**, as amended. Representatives: Hill, Rhoads, Lauer, Mitten, and Gardner.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 625**, as amended. Representatives: Pierson, Kolkmeyer, Korman, Mathews, and Colona.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 640**, as amended. Representatives: Brattin, Haahr, Mathews, Colona, and LaFaver.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 656**, as amended. Representatives: Burlison, Ross, Taylor (139), Morgan, and Newman.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 703**, as amended. Representatives: Reiboldt, Houghton, Redmon, McCreery, and Lavender.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 786**, as amended. Representatives: Dugger, Entlicher, McGaugh, Conway (10), and Newman.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 852**, as amended. Representatives: Chipman, Fitzwater (49), Davis, Walton Gray, and Adams.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 988**, as amended. Representatives: Frederick, Neely, White, Kirkton, and Arthur.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 994**, as amended. Representatives: Alferman, Reiboldt, Cornejo, Hummel, and McCreery.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 988**, as amended: Senators Kraus, Brown, Onder, Sifton and Chappelle-Nadal.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 703**, as amended: Senators Munzlinger, Schaaf, Wasson, Keaveny and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 852**, as amended: Senators Brown, Libla, Wieland, Curls and Chappelle-Nadal.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 656**, as amended: Senators Munzlinger, Onder, Riddle, Schupp and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 786**, as amended: Senators Kraus, Wasson, Hegeman, Walsh and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 625**, as amended: Senators Walsh, Curls, Libla, Schatz and Munzlinger.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 994**, as amended: Senators Munzlinger, Wasson, Cunningham, Keaveny and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 640**, as amended: Senators Schatz, Parson, Libla, Keaveny and Walsh.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 2217, regarding Tyler Hawk Frey, which was adopted.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-SEVENTH DAY—TUESDAY, MAY 10, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566
HCS for HB 1605

HCS for HJR 98

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine
(In Fiscal Oversight)

SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1855-Allen (Schaaf)
(In Fiscal Oversight)
2. HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
3. HCS for HB 2379, with SCS (Kehoe)
4. HCS for HB 1912, with SCS (Schatz)
5. HB 1816-Koenig, with SCS (Wasson)
6. HCS for HB 1718 (Romine)
7. HCS for HB 2496 (Hegeman)
8. HCS for HB 2402, with SCS (Pearce)
9. HCS for HB 1561, with SCS (Schatz)

10. HB 2237-Rowden (Pearce)
11. HCS for HB 1451, with SCS (Pearce)
(In Fiscal Oversight)
12. HB 1716-Lichtenegger, with SCS
(Munzlinger) (In Fiscal Oversight)
13. HCS for HB 1695, with SCS (Wasson)
14. HCS for HBs 1589 & 2307, with SCS
(Emery) (In Fiscal Oversight)
15. HCS for HB 2194, with SCS (Wasson)
16. HCS for HB 2445 (Libla)
17. HB 1786-Pike, with SCS (Pearce)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 596-Kraus, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS
SCS for SBs 662 & 587-Dixon

SB 680-Emery
SB 686-Wallingford, with SCS
SB 706-Dixon
SB 719-Emery, with SCS
SB 733-Dixon
SB 734-Dixon
SB 771-Onder

SB 772-Onder, with SCS
 SB 774-Schmitt
 SB 775-Schaefer
 SB 785-Schaefer, with SCS, SS for SCS,
 SA 1, SSA 1 for SA 1, SA 1 to SSA 1
 for SA 1 & point of order (pending)
 SBs 789 & 595-Wasson, with SCS
 SB 792-Richard
 SB 793-Richard
 SB 798-Kraus, with SCS
 SB 802-Sater
 SB 805-Onder, with SCS
 SB 806-Onder, with SCS
 SB 812-Keaveny
 SB 816-Wieland, et al
 SB 825-Munzlinger, with SA 1 (pending)
 SB 830-Wasson, with SCS
 SB 848-Emery, with SCS
 SBs 851 & 694-Brown, with SCS
 SB 853-Brown
 SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 868-Wasson
 SB 871-Wallingford
 SB 883-Riddle
 SB 894-Munzlinger, with SS (pending)
 SB 896-Hegeman
 SB 898-Cunningham
 SB 908-Sater, with SCS
 SB 916-Schaefer
 SB 920-Schmitt and Kraus

SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder
 SB 1005-Walsh
 SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon
 SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS
 SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)
 HCS for HBs 1434 & 1600, with SCS (Walsh)
 HB 1435-Koenig (Kraus)
 HB 1443-Leara, with SA 1 (pending)
 (Riddle)
 HB 1452-Hoskins, with SCS (Pearce)
 HCS for HB 1463 (Kraus)
 HCS for HB 1464, with SCS (Brown)
 HB 1472-Dugger, with SS & SA 4 (pending)
 (Dixon)

HB 1478-Entlicher, with SCS (Pearce)
 HB 1479-Entlicher (Romine)
 HB 1534-Flanigan, with SCS (Schaefer)
 HB 1565-Engler (Dixon)
 HB 1575-Rowden, with SCA 1 (Munzlinger)
 HB 1588-Franklin, with SCS (Parson)
 HCS for HB 1599, with SCS (Sater)
 HB 1619-McCaherty (Dixon)
 HB 1643-Hicks (Brown)
 HCS for HB 1649, with SCS (Parson)

HCS for HB 1658 (Onder)	HCS for HB 2150 (Wieland)
HCS for HB 1675, with SCS (Munzlinger)	HB 2166-Alferman, with SCS, SS#2 for
HB 1678-Solon, with SCS (Pearce)	SCS, SA 1 & SSA 1 for SA 1 (pending)
HCS for HB 1696, with SCS (Riddle)	(Onder)
HCS for HB 1717, with SS (pending)	HCS for HB 2187, with SCS (pending)
(Wallingford)	(Cunningham)
HCS for HB 1729 (Munzlinger)	HCS for HB 2202, with SCS (Dixon)
HB 1745-Brattin, with SCS (Schatz)	HB 2226-Barnes (Silvey)
HCS for HB 1759, with SCS (Dixon)	HB 2230-Ross (Schatz)
HCS for HB 1776 (Romine)	HCS for HBs 2234 & 1985 (Pearce)
HCS for HBs 1780 & 1420 (Pearce)	HB 2257-Jones, with SCS (Wieland)
HB 1795-Haefner, with SCS (Sater)	HCS for HB 2332, with SCS, SS for SCS,
HCS for HB 1804, with SCS, SS for SCS,	SA 1 & point of order (pending)
SA 3 & SSA 1 for SA 3 (pending) (Emery)	(Dixon)
HCS for HB 1850 (Wasson)	HCS for HB 2376, with SCS (Wasson)
HB 1892-Rehder (Schatz)	SS for SCS for HCS for HB 2380-Schatz
HCS for HB 1898 (Emery)	(In Fiscal Oversight)
HCS for HB 1904, with SCS (Wallingford)	HCS for HB 2397 (Cunningham)
HCS for HB 1930 (Riddle)	HB 2429-Dohrman, with SCS (Parson)
HCS for HB 1941, with SCS (Keaveny)	HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2029 (Sater)	HCS for HB 2689, with SS, SA 1 & SSA 1
HCS for HB 2038 (Munzlinger)	for SA 1 (pending) (Silvey)
HB 2104-Alferman, with SCS (Schmitt)	SS for HJR 53-Dugger (Kraus)
HB 2111-Eggleston (Sater)	HJR 58-Brown (57) (Romine)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)	HB 2480-Justus (Sater)
HB 1539-Vescovo (Wieland)	HB 1473-Dugger, with SCS (Wasson)
HB 1538-Vescovo (Wieland)	HB 1388-Roeber (Dixon)
HB 2183-Roeber (Curls)	

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 688 & 854-Romine, with HCS,	SS for SB 799-Kraus, with HCS, as amended
as amended	SB 932-Cunningham, with HCS, as amended
SB 735-Dixon, with HCS, as amended	

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS,
as amended (Senate adopted CCR &
passed CCS)

SCS for SB 578-Keaveny, with HCS, as
amended (Senate adopted CCR & passed
CCS)

SB 607-Sater, with HCS, as amended

SS for SB 608-Sater, with HCS, as amended

SS for SB 621-Romine, with HCS, as
amended

SB 625-Walsh, with HCS, as amended

SB 635-Hegeman, with HCS, as amended

SCS for SB 638-Riddle and Silvey, with
HA 1, HA 2, HA 3, HA 4, HA 5, as
amended, HA 6, HA 7, HA 8, HA 9 &
HA 10

SB 639-Riddle, with HCS, as amended

SB 640-Schatz, with HCS, as amended

SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9

SB 656-Munzlinger, with HCS, as amended

SB 677-Sater, with HCS, as amended

SB 700-Schatz, with HA 1, as amended &
HA 2 (Senate adopted CCR & passed
CCS)

SCS for SB 703-Munzlinger, with HCS, as
amended

SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR & passed
CCS)

SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended

SS for SB 786-Kraus, with HCS, as amended

SCS for SB 823-Kraus, with HCS, as
amended

SB 852-Brown, with HA 1, HA 2, as
amended & HA 3

SB 864-Sater, with HCS, as amended

SS for SCS for SBs 865 & 866-Sater, with
HCS, as amended (Senate adopted CCR
& passed CCS)

SB 867-Sater, with HCS, as amended

SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 &
HA 6, as amended

SCS for SB 973-Wasson, with HCS, as
amended

SB 988-Kraus, with HA 1, HA 2, HA 3,
HA 4, as amended & HA 5

SB 994-Munzlinger, with HCS, as amended

HCS for HB 1584, with SCS, as amended
(Schmitt)

Requests to Recede or Grant Conference

HB 1870-Hoskins, with SAs 1, 3, 4 & 5
(Pearce) (Senate requests House take
up & pass the bill)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger

SCR 68-Schupp
SR 2062-Pearce
HCS for HCR 57 (Schaefer)
HCR 61-Engler (Dixon)
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

To be Referred

SR 2214-Dixon
SR 2215-Sater

SR 2216-Cunningham

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SEVENTH DAY—TUESDAY, MAY 10, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“You will surely wear yourself out, both you and these people with you. For the task is too heavy for you; you cannot do it alone.” (Exodus 18:18)

Merciful God, You have given us much to do and we are grateful for the work but recognizing our limitations we are thankful for our staff to help us with this burden and recognize all that they do for us. And we are mindful of our colleagues who share this time of serving with us. But we are most thankful for Your presence and help as You guide our efforts this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV, The Missouri Times, and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 833**, entitled:

An Act to repeal sections 313.800, 313.817, 327.272, 381.022, and 381.058, RSMo, and to enact in lieu thereof nine new sections relating to financial transactions.

With House Amendment Nos. 1, 2, 3, 4 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 833, Page 7, Section 327.272, Lines 49-54, by deleting all of said lines and inserting in lieu thereof the following:

“5. Nothing in this section shall be construed to preclude the practice of title insurance business or the business of title insurance as provided in chapter 381, or to preclude the practice of law or law business as governed by the Missouri supreme court and as provided in chapter 484.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) “Admission” includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) “Business” includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is “engaging in business” in this state for purposes of sections 144.010 to 144.525 if such person “engages in business in this state” or “maintains a place of business in this state” under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) “Captive wildlife”, includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) “Gross receipts”, except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term “gross receipts” shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) “Livestock”, cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as [defined] **described** in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) “Motor vehicle leasing company” shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) “Person” includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) “Purchaser” means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) “Research or experimentation activities” are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) “Sale” or “sales” includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) “Sale at retail” means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes

of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets[, cash admissions,] **and charges and fees for admission to [or in places of amusement, entertainment and recreation, games and athletic events] spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts, and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030 ;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) “Product which is intended to be sold ultimately for final use or consumption” means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term “manufactured homes” shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the “Sales Tax Law”.

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

(1) Subject to a tax in this or any other state;

(2) For resale;

(3) Excluded from tax under this chapter;

(4) Subject to tax but exempt under this chapter; or

(5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state. The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, shall remit tax on the amount paid for admissions or seating accommodations[, or fees paid] to[, or in] such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale. **Such sales under subdivision (2) of subsection 1 of section 144.020 shall include sales of admission tickets and charges and fees for admission to spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion**

picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.

144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission **tickets** and [seating accommodations, or] **charges and** fees [paid] to[, or in any place of amusement, entertainment or recreation, games and athletic events] **spectate or for the purpose of reselling to spectate sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such sales shall not include the amount paid or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030;**

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long

distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of sale at retail or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for, or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.""; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 833, Page 7, Section 327.272, Line 54, by

inserting after all of said section and line the following:

“376.998 1. 1. As used in this section:

(1) “Excepted benefit plan” shall mean a policy or certificate of insurance extending the following coverages or any combination thereof:

(a) Coverage under short-term major medical policies;

(b) Coverage only for accident (including accidental death and dismemberment) insurance;

(c) Coverage only for disability income insurance;

(d) Credit-only insurance;

(e) Other similar insurance coverage under which benefits for medical care are supplemental to other insurance benefits;

(f) Coverage only for a specified disease or illness; or

(g) Hospital indemnity or other fixed indemnity insurance;

(2) “Health benefit plan” and “health care services”, “health carrier” and “health care provider” shall have the same meaning as under section 376.1350.

(3) “Health insurance mandate” shall mean a requirement under state law for a health carrier to offer or provide coverage for:

(a) A treatment by a particular type of health care provider;

(b) A certain treatment or service including procedures, medical equipment or drugs that are used in connection with a treatment or service; or

(c) Screening, diagnosis, or treatment of a particular disease or condition.

(4) “Notice” shall mean a requirement under Missouri law to disclose information regarding the availability of certain benefits or services under a health benefit plan.

2. Excepted benefit plans shall be exempt from any health insurance mandate enacted on or after August 28, 2016, unless the statute enacting such mandate expressly declares that it is applicable to excepted benefit plans as defined in this section.

3. Notwithstanding the provisions of any other law to the contrary, the director may, by bulletin, exempt a type of excepted benefit plan from notice or disclosure requirements required by statute for specific services that by custom, are not covered by the particular type of excepted benefit plans being exempted.

4. This section shall apply to an excepted benefit plan to the extent the excepted benefit plan does not materially change coverage to provide for the reimbursement of health care services which extend beyond the types of health care services customarily provided by the specific type of excepted benefit plan or where the combination of coverages and benefits would otherwise meet the definition of a health benefit plan.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“313.303. 1. The lottery commission, the state lottery or any employee of the state lottery, or any organization with whom the state has contracted to operate the state lottery or any of that organization’s employees shall not publish the name, address, or any other identifying information of any person who wins the state lottery unless such person has provided written consent to have such information published.

2. For purposes of this section, “publish” means to issue information or material in printed or electronic form for distribution or sale to the public.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 833, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“110.010. 1. The public funds of every county, township, city, town, village, school district of every character, road district, sewer district, fire protection district, ambulance district, water supply district, drainage or levee district, state hospital, state schools for the mentally deficient, Missouri School for the Deaf, Missouri School for the Blind, Missouri Training School for Boys, training school for girls, Missouri Veterans’ Home, Missouri State Chest Hospital, state university, Missouri state teachers’ colleges, Lincoln University, which are deposited in any banking institution acting as a legal depositary of the funds under the statutes of Missouri requiring the letting and deposit of the same and the furnishing of security therefor, shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer.

2. The securities shall, at the option of the depositary banking institution, be delivered either to the fiscal officer or the governing body of the municipal corporation or other depositor of the funds, or by depositing the securities with another banking institution or safe depositary as trustee satisfactory to both parties to the depositary agreement. The trustee may be a bank owned or controlled by the same bank holding company as the depositary banking institution.

3. The rights and duties of the several parties to the depositary contract shall be the same as those of the state and the depositary banking institution respectively under section 30.270. If a depositary banking institution deposits the bonds or securities with a trustee as above provided, and the municipal corporation or other depositor of funds gives notice in writing to the trustee that there has been a breach of the depositary contract and makes demand in writing on the trustee for the securities, or any part thereof, then the trustee shall forthwith surrender to the municipal corporation or other depositor of funds a sufficient amount of the securities to fully protect the depositor from loss and the trustee shall thereby be discharged of all further responsibility in respect to the securities so surrendered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 997**, entitled:

An Act to repeal sections 167.223, 173.005, and 173.234, RSMo, and to enact in lieu thereof ten new sections relating to higher education, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 997, Page 15, Section 173.2520, Line 13, by inserting after all of said section and line the following:

“178.780. 1. Tax supported community colleges formed prior to October 13, 1961, and those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the coordinating board for higher education.

2. The coordinating board for higher education shall:

(1) Establish the role of the two-year college in the state;

(2) Set up a survey form to be used for local surveys of need and potential for two-year colleges; provide supervision in the conducting of surveys; require that the results of the studies be used in reviewing applications for approval; and establish and use the survey results to set up priorities;

(3) Require that the initiative to establish two-year colleges come from the area to be served;

(4) Administer the state financial support program;

(5) Supervise the community college districts formed under the provisions of sections 178.770 to 178.890 and the community colleges now in existence and formed prior to October 13, 1961;

(6) Formulate and put into effect uniform policies as to budgeting, record keeping, and student accounting;

(7) Establish uniform minimum entrance requirements and uniform curricular offerings for all community colleges;

(8) Make a continuing study of community college education in the state; [and]

(9) Be responsible for the accreditation of each community college under its supervision. Accreditation shall be conducted annually or as often as deemed advisable and made in a manner consistent with rules and regulations established and applied uniformly to all community colleges in the state. Standards for accreditation of community colleges shall be formulated with due consideration given to curriculum offerings and entrance requirements of the University of Missouri; **and**

(10) Establish a standard core curriculum and a common course numbering equivalency matrix for lower-division courses to be used at community colleges and other public institutions of higher education to facilitate student transfers as provided under sections 178.785 to 178.789 .

178.785. The provisions of sections 178.785 to 178.789 shall be known and may be cited as the “Higher Education Core Curriculum Transfer Act”. For purposes of sections 178.785 to 178.789, the

following terms mean:

(1) “Coordinating board”, the coordinating board for higher education established in section 173.005;

(2) “Core curriculum”, the basic competencies to be met, which shall include communicating, higher-order thinking, managing information, valuing, and includes the knowledge areas of social and behavioral sciences, humanities and fine arts, mathematics, and life and physical sciences;

(3) “Faculty member”, a person who is employed full-time by a community college or other public institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration;

(4) “Native student”, a student whose initial college enrollment was at an institution of higher education and who has not transferred to any other institution since that initial enrollment and who has completed no more than eleven credit hours at any other institution of higher education.

178.786. 1. The coordinating board for higher education, with the assistance of an advisory committee composed of representatives from each public community college in this state and each public four-year institution of higher education, shall develop a recommended lower division core curriculum of forty-two semester credit hours, including a statement of the content, component areas, and objectives of the core curriculum. A majority of the members of the advisory committee shall be faculty members of a community college or a public four-year institution of higher education.

2. The coordinating board shall approve a common course numbering equivalency matrix for the forty-two credit hour block at all institutions of higher education in the state to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and course identification. Each community college and four-year institution of higher education shall include in its course listings the applicable course numbers from the common course numbering equivalency matrix approved by the coordinating board under this subsection.

3. The coordinating board shall complete the requirements of subsections 1 and 2 of this section prior to January 1, 2018, for implementation of the core curriculum transfer recommendations for the 2018-19 academic year for all public institutions of higher education.

178.787. 1. Each community college, as defined in section 163.191, and public four-year institution of higher education shall adopt the forty-two credit hour block, including specific courses comprising the curriculum, based on the core curriculum recommendations made by the coordinating board for higher education under subsections 1 and 2 of section 178.786, for implementation beginning in the 2018-19 academic year.

2. If a student successfully completes the forty-two credit core curriculum at a community college or other public institution of higher education, that block of courses may be transferred to any other public institution of higher education in this state and shall be substituted for the receiving institution’s core curriculum. A student shall receive academic credit for each of the courses transferred and shall not be required to take additional core curriculum courses at the receiving institution.

3. A student who transfers from one public institution of higher education to another public

institution of higher education in the state without completing the core curriculum of the sending institution shall receive academic credit from the receiving institution for each of the courses that the student has successfully completed in the core curriculum of the sending institution. Following receipt of credit for these courses, the student may be required to satisfy further course requirements in the core curriculum of the receiving institution.

178.788. 1. The coordinating board for higher education, in consultation with the advisory board established in section 178.786, shall develop criteria to evaluate the transfer practices of each public institution of higher education in this state and shall evaluate the transfer practices of each institution based on this criteria.

2. The coordinating board shall develop procedures to be followed by institutions of higher education in resolving disputes concerning the transfer of course credit and by the commissioner of higher education in making a final determination concerning transfer of course credit if a transfer is in dispute.

3. Each institution of higher education shall publish in its course catalogs and on its official website the procedures adopted by the board under subsections 1 and 2 of this section.

4. If an institution of higher education does not accept course credit earned by a student at another public institution of higher education, that institution shall give written notice to the student and the other institution that the transfer of the course credit is denied. The two institutions and the student shall attempt to resolve the transfer of the course credit in accordance with rules promulgated by the coordinating board. If the transfer dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned within forty-five days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall notify the commissioner of higher education of its denial and the reasons for the denial.

5. The commissioner of higher education or his or her designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination as to the involved student and institutions.

6. The coordinating board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee.

7. The provisions of sections 178.785 to 178.789 shall not apply to native students who are not seeking to transfer credits nor affect the authority of an institution of higher education to adopt its own admission standards or its own grading policies.

8. Students enrolled in professional programs shall complete the appropriate core curriculum that is required for accreditation or licensure.

178.789. The coordinating board for higher education may promulgate all necessary rules and regulations for the administration of sections 178.785 to 178.789. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

Section 1. 1. Notwithstanding any other provision of law to the contrary, if the spouse of any full-time employee of a public institution of higher education incurs out-of-state travel costs that are paid for or reimbursed by such institution then such employee shall be required to file a quarterly travel report with the Missouri ethics commission listing the date or dates, location, purpose, and the full cost of any out-of-state travel made by such employee's spouse. Such costs shall include, but not be limited to, any transportation costs, lodging costs, and meal expenses that are paid for or reimbursed by the public institution. The commission shall publish travel reports in an electronic format on the commission's website and shall enable the reports to be easily searched by name, employee position, and institutional affiliation. The commission shall enable the electronic filing of reports.

2. In addition to the quarterly reports required under subsection 1 of this section, any spouse of a full-time employee of a public institution of higher education whose travels were funded by such public institution under the provisions of subsection 1 of this section during the one-year period immediately before the effective date of this section shall, no later than six months after the effective date of this section, file an additional travel report with the commission covering travel expenditures during that one-year period. This travel report shall be identical in content to the quarterly travel reports required under subsection 1 of this section. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 997, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“103.003. As used in sections 103.003 to 103.175, the following terms mean:

(1) “Actuarial reserves”, the necessary funding required to pay all the medical expenses for services provided to members of the plan but for which the claims have not yet been received by the claims administrator;

(2) “Actuary”, a member of the American Academy of Actuaries or who is an enrolled actuary under the Employee Retirement Income Security Act of 1974;

(3) “Agency”, a state-sponsored institution of higher learning, political subdivision or governmental entity or instrumentality;

(4) “Alternative delivery health care program”, a plan of covered benefits that pays medical expenses through an alternate mechanism rather than on a fee-for-service basis. This includes, but is not limited to, health maintenance organizations and preferred provider organizations, all of which shall include chiropractic physicians licensed under chapter 331, in the provider networks or organizations;

(5) “Board”, the board of trustees of the Missouri consolidated health care plan;

(6) “Claims administrator”, an agency contracted to process medical claims submitted from providers or members of the plan and their dependents;

(7) “Coordination of benefits”, to work with another group-sponsored health care plan which also covers a member of the plan to ensure that both plans pay their appropriate amount of the health care expenses incurred by the member;

(8) “Covered benefits”, a schedule of covered services, including chiropractic services, which are payable under the plan;

(9) “Employee”, any person employed full time by the state or a participating member agency, or a person eligible for coverage by a state-sponsored retirement system or a retirement system sponsored by a participating member agency of the plan;

(10) “Evidence of good health”, medical information supplied by a potential member of the plan that is reviewed to determine the financial risk the person represents to the plan and the corresponding determination of whether or not he or she should be accepted into the plan;

(11) “Health care plan”, any group medical benefit plan providing coverage on an expense-incurred basis, any HMO, any group service or indemnity contract issued by a health plan of any type or description;

(12) “Medical benefits coverages” shall include services provided by chiropractic physicians as well as physicians licensed under chapter 334;

(13) “Medical expenses”, costs for services performed by a provider and covered under the plan;

(14) “Missouri consolidated health care plan benefit fund account”, the benefit trust fund account containing all payroll deductions, payments, and income from all sources for the plan;

(15) “Officer”, an elected official of the state of Missouri;

(16) **“Participating higher education entity”, a state-sponsored institution of higher learning;**

(17) “Participating member agency”, a [state-sponsored institution of higher learning,] political subdivision or governmental entity that has elected to join the plan and has been accepted by the board;

[(17)] (18) “Plan year”, a twelve-month period designated by the board which is used to calculate the annual rate categories and the appropriate coverage;

[(18)] (19) “Provider”, a physician, hospital, pharmacist, psychologist, chiropractic physician or other licensed practitioner who or which provides health care services within the respective scope of practice of such practitioner pursuant to state law and regulation;

[(19)] (20) “Retiree”, a person who is not an employee and is receiving or is entitled to receive an annuity benefit from a state-sponsored retirement system or a retirement system of a participating member agency of the plan or becomes eligible for retirement benefits because of service with a participating member agency.

103.079. 1. The health care programs sponsored by the departments of transportation and conservation shall become a part of this plan only upon request to and acceptance by the board of trustees by the highways and transportation commission or the conservation commission and any such transfer into this plan shall be deemed reviewable by such department every three years. Such department may withdraw from the plan upon approval by such department’s commission and by providing the board a minimum of six months’ notice prior to the end of the then current plan year and termination of coverage will become

effective at the end of the then current plan year. For any of the foregoing state agencies choosing to participate, the plan shall not assume responsibility for any liabilities incurred by the agency or its eligible employees, retirees, or dependents prior to its effective date.

2. Any participating higher education entity may, by its own election, become part of this plan. The board of trustees shall accept the participating higher education entity. The board of trustees may request the participating higher education entity pay a first year adjustment if the population being brought into the plan is actuarially substantial and materially different than the current population in the state plan. Once a participating higher education entity comes into the plan, it may not leave the plan for a period of five years. Such participating higher education entity may withdraw from the plan upon approval by such participating higher education entity governing board and by providing the board a minimum of six month's notice prior to the end of the then current plan year and termination of coverage will become effective at the end of the then current plan year. For any of the foregoing participating higher education entities choosing to participate, the plan shall not assume responsibility for any liabilities incurred by the participating higher education entity or its eligible employees, retirees, or dependents prior to its effective date.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 997, Page 10, Section 173.234, Line 93, by inserting after all of said section and line the following:

“173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the “Access Missouri Financial Assistance Program”. The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution’s business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

(1) “Academic year”, the period from July first of any year through June thirtieth of the following year;

(2) “Approved private institution”, a nonprofit institution, dedicated to educational purposes, located in Missouri which:

(a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;

(c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;

(d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;

(e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(3) “Approved public institution”, an educational institution located in Missouri which:

(a) Is directly controlled or administered by a public agency or political subdivision;

(b) Receives appropriations directly or indirectly from the general assembly for operating expenses;

(c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;

(d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;

(e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(4) **“Approved virtual institution”, an educational institution that meets all of the following requirements:**

(a) Is recognized as a qualifying institution by gubernatorial executive order issued prior to August 28, 2016, and through a memorandum of understanding between the state of Missouri and the approved virtual institution;

(b) Is organized as a nonprofit institution;

(c) Is accredited by a regional accrediting agency recognized by the United States Department of Education;

(d) Has established and continuously maintains a physical campus or location of operation within the state of Missouri;

(e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in Missouri operations;

(f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students; and

(g) Maintains a governing body or advisory board based in Missouri with oversight of Missouri

operations.

(5) “Coordinating board”, the coordinating board for higher education;

[(5)] (6) “Expected family contribution”, the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

[(6)] (7) “Financial assistance”, an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

[(7)] (8) “Full-time student”, an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, **or virtual** institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

2. The failure of an approved virtual institution to continuously maintain all of the requirements in subdivision (4) of subsection 1 of this section shall preclude such institution’s students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

(1) Is a citizen or a permanent resident of the United States;

(2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;

(3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and

(4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or]

public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

(1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

(b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and

(c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;

(2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri[, or]; approved private institutions; **or approved virtual institutions** .

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient

of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107.”; and

Further amend said bill, Pages 410, Section C, Line 6, by deleting all of said lines and inserting in lieu thereof the following:

“Section D. Because of the importance of providing financial aid for Missouri high school graduates, section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 997, Page 2, Section 167.223, Line 15, by inserting after all of said section and line the following:

“172.030. **1.** The board of curators of the University of the state of Missouri shall hereafter consist of nine members, who shall be appointed by the governor, by and with the advice and consent of the senate; provided, that at least one but no more than two shall be appointed upon said board from each congressional district, and no person shall be appointed a curator who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to his appointment. Not more than five curators shall belong to any one political party. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

2. The provisions of this subsection shall apply to all appointments made to the board on or after January 1, 2017, notwithstanding any other provision of law. No person shall be appointed to the board who is of the same profession or occupation as any two persons already serving on the board. For concurrent appointments, appointments shall be made to ensure that no more than two persons of the same occupation or profession are serving on the board at any one time.”; and

Further amend said bill, Page 15, Section 173.2520, Line 13, by inserting after all of said section and line the following:

“174.058. 1. The provisions of this section shall apply to all appointments made to the board of governors of Missouri Western State University, University of Central Missouri, Truman State University, Missouri State University, and Missouri Southern State University; the board of regents of Southeast Missouri State University, Northwest Missouri State University, and Harris-Stowe State University; and the board of curators of Lincoln University on or after January 1, 2017, notwithstanding any other provision of law.

2. No person shall be appointed to the board who is of the same profession or occupation as any two persons already serving on the board. For concurrent appointments, appointments shall be made

to ensure that no more than two persons of the same occupation or profession are serving on the board at any one time.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 997, Page 10, Section 173.234, Line 93, by inserting after all of said line and section the following:

“173.1004. **1.** The coordinating board shall promulgate rules and regulations to ensure that each approved public higher education institution shall post on its website the names of all faculty, including adjunct, part-time, and full-time faculty, who are given full or partial teaching assignments along with web links or other means of providing information about their academic credentials and, where feasible, instructor ratings by students. In addition, public institutions of higher education shall post course schedules on their websites that include the name of the instructor assigned to each course and, if applicable, each section of a course, as well as identifying those instructors who are teaching assistants, provided that the institution may modify and update the identity of instructors as courses and sections are added or cancelled.

2. Each approved public institution, as defined in section 173.1102, shall post on its public website the estimated cost for each degree program offered. Such estimated cost shall list any fees or other expenses required in addition to tuition. Such information shall be updated annually.

3. Each approved public institution, as defined in section 173.1102, shall provide the information described in subsection 2 of this section in printed materials or electronic or online materials to prospective students at the same time that it notifies prospective students of their acceptance into the institution. If no such notification of acceptance takes place, the institution shall provide such information in printed materials or electronic materials or online materials before the prospective student registers for any classes. Such information shall be updated annually.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 627**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to suicide awareness and prevention.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 5 and 6.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 627, Page 1, In the Title, Lines 2-3, by deleting the phrase “suicide awareness and prevention” and inserting in lieu thereof the phrase “higher education”; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting immediately after all of said section and line the following:

“173.1410. 1. Prior to September 1, 2017, each public institution of higher education within the state shall adopt a policy on student favoritism. The policy, which shall establish a procedure for addressing allegations of favoritism towards any given student, shall include, but not be limited to, the following:

(1) A statement of the institution’s commitment to a nondiscriminatory educational environment;

(2) A statement prohibiting unfair advantage to any student including, but not limited to, unfair preferential treatment in grading, class selection, class assignments, class attendance, or any kind of grade inflation or course work requirement modification aimed solely at qualifying a student for participation in an extracurricular activity or sport;

(3) Specific provisions discouraging or prohibiting relationships or environments that encourage favoritism;

(4) A method for reporting an allegation of favoritism that allows allegations to be brought by any individual or any group; and

(5) A method for resolving allegations of favoritism including determinations as to appropriate consequences for confirmed acts of favoritism.

2. Upon implementation of a policy required under subsection 1 of this section, an institution shall uniformly and consistently apply such policy, make it easily accessible, and train campus leaders on the policy.

3. The department of higher education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 627, Page 1, In the Title, Lines 2 and 3, by deleting the words “suicide awareness and prevention” and inserting in lieu thereof the words “student safety at public institutions of higher education”; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

“173.2050. 1. The governing board of each public institution of higher education in this state shall engage in discussions with law enforcement agencies with jurisdiction over the premises of an institution to develop and enter into a memorandum of understanding concerning sexual assault,

domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

2. The memorandum of understanding shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional practices. At a minimum, the memorandum shall set out procedural requirements for the reporting of an offense, protocol for establishing who has jurisdiction over an offense, and criteria for determining when an offense is to be reported to law enforcement.

3. The department of public safety in cooperation with the department of higher education shall promulgate rules and regulations to facilitate the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 627, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“170.047. 1. In the 2017-18 school year and subsequent years, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” means any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and

prevention, including the training and education of district employees.

2. Each district’s policy shall address, but need not be limited to, the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;**
- (2) Strategies and protocols for helping students at possible risk of suicide; and**
- (3) Protocols for responding to a suicide death.**

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to change the department’s model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4**

Amend House Amendment No. 4 to Senate Bill No. 627, Page 2, Section 173.1200, Line 41, by deleting all of said line and inserting in lieu thereof the following:

“enforcement officers and employees or other persons, except when criminal, civil, or administrative action is initiated regarding unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of such activities. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 627, Page 1, In the Title, Line 3, by deleting the words “awareness and prevention”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“9.154. 1. August 28, 2016, and thereafter the date designated by the show-me compassionate medical education research project committee established in section 191.596, shall be designated as “Show-Me Compassionate Medical Education Day” in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness regarding medical education, medical student well-being, and measures that have been shown to be effective, are currently being evaluated for effectiveness, and are being proposed for effectiveness in positively impacting medical student well-being and education.

2. The director of the department of mental health shall notify the revisor of statutes of the date selected by the show-me compassionate medical education research project committee for the show-

me compassionate medical education day.”; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

“191.594. 1. Sections 191.594 to 191.596 shall be known and may be cited as the “Show-Me Compassionate Medical Education Act”.

2. No medical school in this state shall prohibit, discourage, or otherwise restrict a medical student organization or medical organization from undertaking or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students. No medical school in this state shall penalize, discipline, or otherwise take any adverse action against a student or a medical student organization in connection with such student’s or medical student organization’s participation in, planning, or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students.

3. For purposes of this section, the following terms shall mean:

(1) “Medical organization” includes, but is not limited to, organizations such as the Missouri State Medical Association and the Missouri Association of Osteopathic Physicians and Surgeons;

(2) “Medical school”, any allopathic or osteopathic school of medicine in this state;

(3) “Medical student organization” includes, but is not limited to, organizations such as the American Medical Student Association, the Student Osteopathic Medical Association, and any medical student section of a medical organization.

191.596. 1. Medical schools in this state may, in collaboration with the show-me compassionate medical education research project committee, conduct a single center or multicenter study or studies, which, if conducted, shall be known as the “Show-Me Compassionate Medical Education Research Project”, in order to facilitate the collection of data and implement practices and protocols to minimize stress and reduce the risk of depression and suicide for medical students in this state.

2. There is hereby established the “Show-Me Compassionate Medical Education Research Project Committee”, which shall consist of representatives from each of the medical schools in this state and the director of the department of mental health, or the director’s designee. The committee shall:

(1) Conduct an initial meeting on August 28, 2016, to organize, and meet as necessary thereafter to implement any research project conducted; and

(2) Set the date for the show-me compassionate medical education day designated under section 9.154. The date selected shall be for 2017 and every year thereafter.

3. Any single center or multicenter study undertaken by the committee or its member schools may include, but need not be limited to, the following:

(1) Development of study protocols designed to identify the root causes that contribute to the risk of depression and suicide for medical students;

(2) Examination of the culture and academic program of medical schools that may contribute to the risk of depression and suicide for medical students;

(3) Collection of any relevant additional data including, but not limited to, consultation and collaboration with mental health professionals and mental health resources in the communities where medical schools are located;

(4) Collaboration between the medical schools in this state in order to share information and to identify and make recommendations under subdivision (5) of this subsection; and

(5) Based on the data and findings under subdivisions (1) to (3) of this subsection:

(a) Identification of the best practices to be implemented at each medical school designed to address the root causes and changes in medical school culture in order to minimize stress and reduce the risk of depression and suicide for medical students;

(b) Recommendation of any statutory or regulatory changes regarding licensure of medical professionals and recommendation of any changes to common practices associated with medical training or medical practice that the committee believes will accomplish the goals set out in this section.

4. The committee shall prepare an annual report that shall include any information under subdivision (5) of subsection 3 of this section and any measures reported by any medical school as a result of the findings under this section. The report shall be made available annually on each medical school's website and to the Missouri general assembly.

610.100. 1. As used in sections 610.100 to 610.150, the following words and phrases shall mean:

(1) "Arrest", an actual restraint of the person of the defendant, or by his or her submission to the custody of the officer, under authority of a warrant or otherwise for a criminal violation which results in the issuance of a summons or the person being booked;

(2) "Arrest report", a record of a law enforcement agency of an arrest and of any detention or confinement incident thereto together with the charge therefor;

(3) "Inactive", an investigation in which no further action will be taken by a law enforcement agency or officer for any of the following reasons:

(a) A decision by the law enforcement agency not to pursue the case;

(b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;

(c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;

(4) "Incident report", a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;

(5) "Investigative report", a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties.

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain

records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records. Notwithstanding any other provision of law other than the provisions of subsections [4, 5 and 6] **5, 6, and 7** of this section or section 320.083, investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within thirty days of the person's arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120.

3. Except as provided in subsections [4, 5, 6 and 7] **5, 6, 7, and 8** of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

4. **(1) Notwithstanding any other provision of this section or law to the contrary, any portion of a record or document of a law enforcement officer or agency, or public institution of higher education, involving a suicide or attempted suicide shall be a closed record for thirty days after the suicide or attempted suicide.**

(2) Notwithstanding the provisions of subsection 1 of this section, if a suicide occurred, such records shall be released prior to thirty days to any relative of the individual within the second degree of consanguinity or affinity upon request.

(3) Notwithstanding the provisions of subsection 1 of this section, in the case of an attempted suicide, such records shall be released to the individual who attempted to commit suicide at the individual's request or upon the request of the individual's parent or guardian if the individual is a minor, or the individual's spouse or relative within the second degree of consanguinity or affinity if the individual is incapacitated.

(4) Notwithstanding the provisions of subsection 1 of this section, in the case of suicide or attempted suicide, such records may be released for the following purposes:

(a) Criminal, civil, administrative, or other legal proceedings;

(b) Law enforcement investigative or other purposes;

(c) To any covered entity, as defined in the Health Insurance Portability and Accountability Act of 1996, as amended, that is providing or may provide services to any individual or his or her relative within the second degree of consanguinity or affinity; or

(d) If the release of such information is immediately necessary for the preservation of the health and safety of any individual or for public health and welfare.

5. Any person, including a family member of such person within the first degree of consanguinity if such person is deceased or incompetent, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain any records closed pursuant to this section

or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

[5.] 6. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of the information contained in an investigative report of any law enforcement agency, which would otherwise be closed pursuant to this section. The court may order that all or part of the information contained in an investigative report be released to the person bringing the action. In making the determination as to whether information contained in an investigative report shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity. The investigative report in question may be examined by the court in camera. The court may find that the party seeking disclosure of the investigative report shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the investigative report was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

[6.] 7. Any person may apply pursuant to this subsection to the circuit court having jurisdiction for an order requiring a law enforcement agency to open incident reports and arrest reports being unlawfully closed pursuant to this section. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has knowingly violated this section, the officer or agency shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of this section, the court may order payment by such officer or agency of all costs and attorneys' fees, as provided by section 610.027. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has purposely violated this section, the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the law enforcement officer or agency has violated this section previously.

[7.] 8. The victim of an offense as provided in chapter 566 may request that his or her identity be kept confidential until a charge relating to such incident is filed.

610.200. 1. **Except as provided in subsection 2 of this section,** all law enforcement agencies that maintain a daily log or record that lists suspected crimes, accidents, or complaints shall make available the following information for inspection and copying by the public:

- (1) The time, substance, and location of all complaints or requests for assistance received by the agency;
- (2) The time and nature of the agency's response to all complaints or requests for assistance; and
- (3) If the incident involves an alleged crime or infraction:
 - (a) The time, date, and location of occurrence;
 - (b) The name and age of any victim, unless the victim is a victim of a crime under chapter 566;
 - (c) The factual circumstances surrounding the incident; and
 - (d) A general description of any injuries, property or weapons involved.

2. Notwithstanding any other provision of law to the contrary, no law enforcement agency or public institution of higher education shall release any portion of a record or document of a law enforcement officer or agency involving a suicide or attempted suicide unless such release complies with the requirements of subsection 4 of section 610.100.

Section B. Because immediate action is necessary to ensure the well-being of medical students in this state, the enactment of sections 9.154, 191.594, and 191.596 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 9.154, 191.594, and 191.596 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 627, Page 1, In the Title, Lines 2-3, by deleting the words “suicide awareness and prevention” and inserting in lieu thereof the words “health care”; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

“209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability** is defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability** is defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability** is defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in

subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term “service dog” [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions of the Americans With Disabilities Act, the following terms shall mean:

(1) “Disability”, as defined in section 213.010 including diabetes;

(2) “Service dog”, a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes but is not limited to:

(a) “Guide dog”, a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) “Hearing dog”, a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) “Medical alert or [respond] **response** dog”, a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) **“Mental health service dog” or “psychiatric service dog”, a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties including, but not limited to, alerting or responding to episodes such as panic attacks and anxiety, and performing other tasks directly related to the owner’s psychiatric disability, medical condition, or developmental disability including, but not limited to, autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder, Alzheimer’s disease, dementia, post-traumatic stress disorder (PTSD), anxiety disorder, obsessive compulsive disorder, schizophrenia, and other mental illnesses and invisible disabilities;**

(e) “Mobility dog”, a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;

[(e)] (f) “Professional therapy dog”, a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler’s occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

[(f)] (g) “Search and rescue dog”, a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming

lost;

(3) “Service dog team”, a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 627, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been [declared] **classified as unaccredited by the state board of education**;

(4) In a school district that has been classified as provisionally accredited by the state board of education and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department; or

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district’s board of

education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, [which is a member of the North Central Association] and accredited by the Higher Learning Commission, with its primary campus in Missouri; [or]

(6) The Missouri charter public school commission created in section 160.425.

4. Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the

consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences **based on the annual performance report**, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual

reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care **safety** registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance [framework] **contract** that the sponsor will use to evaluate the performance of charter schools. **Charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract;**

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any

sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405, the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability or obligations of the charter school.

160.403. 1. The department of elementary and secondary education shall establish an annual application and approval process for all entities eligible to sponsor charters as set forth in section 160.400 which are not sponsoring a charter school as of August 28, 2012, **except that the Missouri charter public school commission shall not be required to undergo the application and approval process.** No later than November 1, 2012, the department shall make available information and guidelines for all eligible sponsors concerning the opportunity to apply for sponsoring authority under this section.

2. The application process for sponsorship shall require each interested eligible sponsor, **except for the Missouri charter public school commission,** to submit an application by February first that includes the following:

(1) Written notification of intent to serve as a charter school sponsor in accordance with sections 160.400 to 160.425 and section 167.349;

(2) Evidence of the applicant sponsor's budget and personnel capacity;

(3) An outline of the request for proposal that the applicant sponsor would, if approved as a charter sponsor, issue to solicit charter school applicants consistent with sections 160.400 to 160.425 **and section 167.349;**

(4) The performance [framework] **contract** that the applicant sponsor would, if approved as a charter sponsor, use to [guide the establishment of a charter contract and for ongoing oversight and a description of how it would] evaluate the charter schools it sponsors; and

(5) The applicant sponsor's renewal, revocation, and nonrenewal processes consistent with section 160.405.

3. By April first of each year, the department shall decide whether to grant or deny a sponsoring authority to a sponsor applicant. This decision shall be made based on the applicant [charter's] **sponsor's** compliance with sections 160.400 to 160.425 **and section 167.349** and properly promulgated rules of the department.

4. Within thirty days of the department's decision, the department shall execute a renewable sponsoring contract with each entity it has approved as a sponsor. The term of each authorizing contract shall be six years and renewable. [No eligible sponsor which is not currently sponsoring a charter school as of August 28, 2012, shall commence charter sponsorship without approval from the state board of education and a sponsor contract with the state board of education in effect.]

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located and to the state board of education, within five business days of the date the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall [be] **include** a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall [also include] **address the following**:

(1) A mission and vision statement for the charter school;

(2) A description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy, financial management, and operational decisions of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school;

(3) A financial plan for the first three years of operation of the charter school including provisions for annual audits;

(4) A description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan;

(5) A description of the grades or ages of students being served;

(6) The school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011;

(7) A description of the charter school's pupil performance standards and academic program performance standards, which shall meet the requirements of subdivision (6) of subsection 4 of this section. The charter school program shall be designed to enable each pupil to achieve such standards and shall contain a complete set of indicators, measures, metrics, and targets for academic program performance, including specific goals on graduation rates and standardized test performance and academic growth;

(8) A description of the charter school's educational program and curriculum;

(9) The term of the charter, which shall be five years and [shall] **may** be [renewable] **renewed**;

(10) Procedures, consistent with the Missouri financial accounting manual, for monitoring the financial accountability of the charter, which shall meet the requirements of subdivision (4) of subsection 4 of this section;

(11) Preopening requirements for applications that require that charter schools meet all health, safety, and other legal requirements prior to opening;

(12) A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements and procedures that ensure admission of students with disabilities in a nondiscriminatory manner;

(13) A description of the charter school's grievance procedure for parents or guardians;

(14) A description of the agreement **and time frame for implementation** between the charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when a sponsor will not renew a charter under subsection 9 of this section;

(15) Procedures to be implemented if the charter school should close, as provided in subdivision (6) of subsection 16 of section 160.400 including:

(a) Orderly transition of student records to new schools and archival of student records;

(b) Archival of business operation and transfer or repository of personnel records;

(c) Submission of final financial reports;

(d) Resolution of any remaining financial obligations; [and]

(e) Disposition of the charter school's assets upon closure; **and**

(f) A notification plan to inform parents or guardians of students, the local school district, the retirement system in which the charter school's employees participate, and the state board of education within thirty days of the decision to close;

(16) A description of the special education and related services that shall be available to meet the needs of students with disabilities; and

(17) For all new or revised charters, procedures to be used upon closure of the charter school requiring that unobligated assets of the charter school be returned to the department of elementary and secondary education for their disposition, which upon receipt of such assets shall return them to the local school district in which the school was located, the state, or any other entity to which they would belong.

Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the requirements of this subsection.

2. Proposed charters shall be subject to the following requirements:

(1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and procedures for

review and granting of a charter approval, and be approved by the state board of education by [December first of the year] **January thirty-first** prior to **the school year** of the proposed opening date of the charter school;

(2) A charter may be approved when the sponsor determines that the requirements of this section are met, determines that the applicant is sufficiently qualified to operate a charter school, and that the proposed charter is consistent with the sponsor's charter sponsorship goals and capacity. The sponsor's decision of approval or denial shall be made within ninety days of the filing of the proposed charter;

(3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial and forward a copy to the state board of education within five business days following the denial;

(4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, that the applicant is sufficiently qualified to operate the charter school, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

(5) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended from school three or more times, has a history of severe truancy, is a pregnant or parenting teen, has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is homeless or has been homeless sometime within the preceding six months, has been referred by an area school district for enrollment in an alternative program, or qualifies as high risk under department of elementary and secondary education guidelines. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, the charter application shall be submitted to the state board of education, along with a statement of finding **by the sponsor** that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the charter sponsor shall evaluate the academic performance, **including annual performance reports**, of students enrolled in the charter school. The state board of education [may, within sixty days, disapprove the granting of the charter] **shall approve or deny a charter application within sixty days of receipt of the application**. The state board of education may [disapprove] **deny** a charter on grounds that the application fails to meet the requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor. **Any denial of a charter application made by**

the state board of education shall be in writing and shall identify the specific failures of the application to meet the requirements of sections 160.400 to 160.425 and section 167.349, and the written denial shall be provided within ten business days to the sponsor.

4. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, county, or city relating to health, safety, and state minimum educational standards, as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school records under section 167.020, the minimum [number of school days and hours] **amount of school time** required under section [160.041] **171.031**, and the employee criminal history background check and the family care safety registry check under section 168.133;

(3) Except as provided in sections 160.400 to 160.425 **and as specifically provided in other sections**, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, publish audit reports and annual financial reports as provided in chapter 165, provided that the annual financial report may be published on the department of elementary and secondary education's internet website in addition to other publishing requirements, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies and comply with all federal audit requirements for charters with local [education] **educational** agency status. For purposes of an audit by petition under section 29.230, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located. For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700. A charter school that incurs debt shall include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from [kindergarten] **early childhood** through grade twelve, [which may include early childhood education if funding for such programs is established by statute,] as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, establish baseline student performance in accordance with the performance contract during the first year of operation, collect student performance data as defined by the annual performance report throughout the duration of the charter to annually monitor student academic performance, and to the extent applicable based upon grade levels offered by the charter school, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, which shall also include a statement that background checks have been completed on the charter school's board members, **and** report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof[, and provide data required for the study of charter schools pursuant to subsection 4 of section 160.410]. No charter school shall be considered in the Missouri

school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) For proposed [high risk] **high-risk** or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a [high risk] **high-risk** or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.

(c) Nothing in this subdivision shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter. The performance standards for alternative and special purpose charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this section shall be based on measures defined in the school's performance contract with its sponsors;

(7) Comply with all applicable federal and state laws and regulations regarding students with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor legislation;

(8) Provide along with any request for review by the state board of education the following:

(a) Documentation that the applicant has provided a copy of the application to the school board of the district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and

(b) A statement outlining the reasons for approval or [disapproval] **denial** by the sponsor, specifically addressing the requirements of sections 160.400 to 160.425 and 167.349.

5. (1) Proposed or existing high-risk or alternative charter schools may include alternative arrangements for students to obtain credit for satisfying graduation requirements in the school's charter application and charter. Alternative arrangements may include, but not be limited to, credit for off-campus instruction, embedded credit, work experience through an internship arranged through the school, and independent studies. When the state board of education approves the charter, any such alternative arrangements shall be approved at such time.

(2) The department of elementary and secondary education shall conduct a study of any charter school granted alternative arrangements for students to obtain credit under this subsection after three years of operation to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations during the first year of operation and then every other year after the most recent review or at any point where the operation or

management of the charter school is changed or transferred to another entity, either public or private. The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. Sponsors shall annually review the charter school's compliance with statutory standards including:

(1) Participation in the statewide system of assessments, as designated by the state board of education under section 160.518;

(2) Assurances for the completion and distribution of an annual report card as prescribed in section 160.522;

(3) The collection of baseline data during the first three years of operation to determine the longitudinal success of the charter school;

(4) A method to measure pupil progress toward the pupil academic standards adopted by the state board of education under section 160.514; and

(5) Publication of each charter school's annual performance report.

8. (1) (a) A sponsor's [intervention] policies shall give schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies and mandate intervention based upon findings of the state board of education of the following:

a. The charter school provides a high school program which fails to maintain a graduation rate of at least seventy percent in three of the last four school years unless the school has dropout recovery as its mission;

b. The charter school's annual performance report results are below the district's annual performance report results based on the performance standards that are applicable to the grade level configuration of both the charter school and the district in which the charter school is located in three of the last four school years; and

c. The charter school is identified as a persistently lowest achieving school by the department of elementary and secondary education.

(b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

a. Clear evidence of underperformance as demonstrated in the charter school's annual performance report in three of the last four school years; or

b. A violation of the law or the public trust that imperils students or public funds.

(c) A sponsor shall revoke a charter or take other appropriate remedial action, which may include placing the charter school on probationary status for no more than [twelve] **twenty-four** months, provided that no more than one designation of probationary status shall be allowed for the duration of the charter contract, at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet the performance contract as set forth in its charter,

failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days following receipt of written notice requesting such information, or violation of law.

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, which may require a change of methodology, a change in leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the governing board of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's governing board may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an appeal to the state board of education, which shall determine whether the charter shall be revoked.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its sponsor.

(2) The sponsor's renewal process of the charter school shall be based on the thorough analysis of a comprehensive body of objective evidence and consider if:

(a) The charter school has maintained results on its annual performance report that meet or exceed the district in which the charter school is located based on the performance standards that are applicable to the grade-level configuration of both the charter school and the district in which the charter school is located in three of the last four school years;

(b) The charter school is organizationally and fiscally viable determining at a minimum that the school does not have:

a. A negative balance in its operating funds;

b. A combined balance of less than three percent of the amount expended for such funds during the previous fiscal year; or

c. Expenditures that exceed receipts for the most recently completed fiscal year;

(c) The charter is in compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; **and**

(d) The charter school has an annual performance report consistent with a classification of accredited for three of the last four years and is fiscally viable as described in paragraph (b) of this subdivision. If such is the case, the charter school may have an expedited renewal process as defined by rule of the department of elementary and secondary education.

(3) (a) Beginning August first during the year in which a charter is considered for renewal, a charter school sponsor shall demonstrate to the state board of education that the charter school is in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school's performance contract including but not limited to those requirements specific to academic performance.

(b) Along with data reflecting the academic performance standards indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the state board of education for review.

(c) Using the data requested and the revised charter application under paragraphs (a) and (b) of this subdivision, the state board of education shall determine if compliance with all standards enumerated in this subdivision has been achieved. The state board of education at its next regularly scheduled meeting shall vote on the revised charter application.

(d) If a charter school sponsor demonstrates the objectives identified in this subdivision, the state board of education shall renew the school's charter.

10. A school district may enter into a lease with a charter school for physical facilities.

11. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

12. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756.

13. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035.

14. The chief financial officer of a charter school shall maintain:

(1) A surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school; or

(2) An insurance policy issued by an insurance company licensed to do business in Missouri on all employees in the amount of five hundred thousand dollars or more that provides coverage in the event of employee theft.

15. The department of elementary and secondary education shall calculate an annual performance

report for each charter school and shall publish it in the same manner as annual performance reports are calculated and published for districts and attendance centers.

16. The joint committee on education shall create a committee to investigate facility access and affordability for charter schools. The committee shall be comprised of equal numbers of the charter school sector and the public school sector and shall report its findings to the general assembly by December 31, 2016.

160.408. 1. For purposes of this section, “high-quality charter school” means a charter school operating in the state of Missouri that meets the following requirements:

(1) Receives eighty-five percent or more of the total points on the annual performance report for three out of the last four school years by comparing points earned to the points possible on the annual performance report for three of the last four school years;

(2) Maintains a graduation rate of at least eighty percent for three of the last four school years, if the charter school provides a high school program;

(3) Is in material compliance with its legally binding performance contract and sections 160.400 to 160.425 and section 167.349; and

(4) Is organizationally and fiscally viable as described in paragraph (b) of subdivision (2) of subsection 9 of section 160.405.

2. Notwithstanding any other provision of law, high-quality charter schools shall be provided expedited opportunities to replicate and expand into unaccredited districts, a metropolitan district, or an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Such replication and expansion shall be subject to the following:

(1) The school seeking to replicate or expand shall submit its proposed charter to a proposed sponsor. The charter shall include a legally binding performance contract that meets the requirements of sections 160.400 to 160.425 and section 167.349;

(2) The sponsor’s decision to approve or deny shall be made within sixty days of the filing of the proposed charter with the proposed sponsor;

(3) If a charter is approved by a sponsor, the charter application shall be filed with the state board of education with a statement of finding from the sponsor that the application meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring plan under which the sponsor shall evaluate the academic performance of students enrolled in the charter school. Such filing shall be made by January thirty-first prior to the school year in which the charter school intends to begin operations.

3. The term of the charter for schools operating under this section shall be five years, and the charter may be renewed for terms of up to ten years. Renewal shall be subject to the provisions of paragraphs (a) to (d) of subdivision (3) of subsection 9 of section 160.405.

160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates;

(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;

(3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;

(4) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

[(4)] **(5)** In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission **and does not discriminate based on parents' ability to pay fees or tuition** except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school or in the case of a workplace charter school, a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school [that are present for the January membership count as defined in section 163.011] **who have been enrolled for a full academic year** shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. **For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.**

[4. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with an equivalent group of district students representing an equivalent demographic and geographic population and a study of the impact of charter schools upon the constituents they serve in the districts in which they are located, to be conducted by the joint committee on education. The charter school study shall include analysis of the administrative and instructional practices of each charter school and shall include findings on innovative programs that illustrate best

practices and lend themselves to replication or incorporation in other schools. The joint committee on education shall coordinate with individuals representing charter schools and the districts in which charter schools are located in conducting the study. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and an equivalent group of district students representing an equivalent demographic and geographic population. The student performance assessment and comparison shall include, but may not be limited to:

- (1) Missouri assessment program test performance and aggregate growth over several years;
- (2) Student reenrollment rates;
- (3) Educator, parent, and student satisfaction data;
- (4) Graduation rates in secondary programs; and

(5) Performance of students enrolled in the same public school for three or more consecutive years. The impact study shall be undertaken every two years to determine the impact of charter schools on the constituents they serve in the districts where charter schools are operated. The impact study shall include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.]

[5.] **4.** A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522;
- (3) The results of background checks on the charter school's board members; and

(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

[6.] **5.** When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[7.] **6.** If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a

resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

[8.] 7. The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced **price** lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced **price** lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental

and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local [education] **educational** agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

7. In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services[,] **or** management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the [educational] **education** service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school may not charge tuition[, nor may it] **or impose fees that a school district is prohibited from charging or imposing except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district.**

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. **Except as otherwise specifically provided in sections 160.400 to 160.425,** upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. **A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405.** The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.417. 1. By October 1, 2012, and by each October first thereafter, the sponsor of each charter school shall review the information submitted on the report required by section 162.821 to identify charter schools experiencing financial stress. The department of elementary and secondary education shall be authorized to obtain such additional information from a charter school as may be necessary to determine the financial

condition of the charter school. Annually, a listing of charter schools identified as experiencing financial stress according to the provisions of this section shall be provided to the governor, speaker of the house of representatives, and president pro tempore of the senate by the department of elementary and secondary education.

2. For the purposes of this section, a charter school shall be identified as experiencing financial stress if it:

(1) At the end of its most recently completed fiscal year:

(a) Has a negative balance in its operating funds; or

(b) Has a combined balance of less than three percent of the amount expended from such funds during the previous fiscal year; [or]

(2) For the most recently completed fiscal year expenditures, exceeded receipts for any of its funds because of recurring costs; **or**

(3) Due to insufficient fund balances or reserves, incurred debt after January thirty-first and before July first during the most recently completed fiscal year in order to meet expenditures of the charter school.

3. The sponsor shall notify by November first the governing board of the charter school identified as experiencing financial stress. Upon receiving the notification, the governing board shall develop, or cause to have developed, and shall approve a budget and education plan on forms provided by the sponsor. The budget and education plan shall be submitted to the sponsor, signed by the officers of the charter school, within forty-five calendar days of notification that the charter school has been identified as experiencing financial stress. Minimally, the budget and education plan shall:

(1) Give assurances that adequate educational services to students of the charter school shall continue uninterrupted for the remainder of the current school year and that the charter school can provide the minimum [number of school days and hours] **amount of school time** required by section [160.041] **171.031**;

(2) Outline a procedure to be followed by the charter school to report to charter school patrons about the financial condition of the charter school; and

(3) Detail the expenditure reduction measures, revenue increases, or other actions to be taken by the charter school to address its condition of financial stress.

4. Upon receipt and following review of any budget and education plan, the sponsor may make suggestions to improve the plan. Nothing in sections 160.400 to 160.425 or section 167.349 shall exempt a charter school from submitting a budget and education plan to the sponsor according to the provisions of this section following each such notification that a charter school has been identified as experiencing financial stress, except that the sponsor may permit a charter school's governing board to make amendments to or update a budget and education plan previously submitted to the sponsor.

5. The department may withhold any payment of financial aid otherwise due to the charter school until such time as the sponsor and the charter school have fully complied with this section.

163.018. 1. Notwithstanding the definition of "average daily attendance" in subdivision (2) of

section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced **price** lunch and attend an early childhood education program:

(1) That is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education; **or**

(2) **That is under contract with a district or charter school that has declared itself as a local educational agency and that meets standards established by the state board of education**

shall be included in the district's or charter school's calculation of average daily attendance. The total number of such pupils included in the district's or charter school's calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced **price** lunch between the ages of [three] **five** and eighteen who are included in the district's or charter school's calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, **and for any charter school located in said district**, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts **and charter schools**, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

167.131. 1. The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county **or who attends an approved charter school in the same or an adjoining county.**

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. **The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district,** the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. **For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements.** The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

167.241. Transportation for pupils whose tuition the district of residence is required to pay by section 167.131 or who are assigned as provided in section 167.121 shall be provided by the district of residence; however, in the case of pupils covered by section 167.131, the district of residence shall be required to provide transportation only to **approved charter schools**, school districts accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in section 161.092, and those school districts designated by the board of education of the district of residence."; and

Further amend said bill, Page 2, Section 173.1200, Line 41, by inserting after all of said section and line the following:

"Section B. Because of the importance of funding early childhood education programs, section 163.018 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 163.018 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 861**, entitled:

An Act to repeal section 227.600, RSMo, and to enact in lieu thereof six new sections relating to transportation facilities.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase “tax incentives.”; and

Further amend said bill, Page 2, Section 68.075, Line 49, by inserting immediately after all of said section and line the following:

“143.1100. 1. This section shall be known and may be cited as the “Bring Jobs Home Act”.

2. As used in this section, the following terms shall mean:

(1) “Business unit”:

(a) Any trade or business; and

(b) Any line of business or function unit which is part of any trade or business;

(2) “Deduction”:

(a) For individuals, an amount subtracted from the taxpayer’s Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed; and

(b) For corporations, an amount subtracted from the taxpayer’s Federal taxable income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(3) “Department”, the department of economic development;

(4) “Eligible expenses”:

(a) Any amount for which a deduction is allowed to the taxpayer under Section 162 of the Internal Revenue Code of 1986, as amended; and

(b) Permit and license fees, lease brokerage fees, equipment installation costs, and other similar expenses;

(5) “Eligible insourcing expenses”:

(a) Eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located outside the state of Missouri; and

(b) Eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located within the state of Missouri if such establishment constitutes the relocation of the business unit so eliminated.

For purposes of this subdivision, expenses shall be eligible if such elimination of the business unit in another state or country occurs in a different taxable year from the establishment of the business unit

in Missouri;

(6) “Expanded affiliated group”, an affiliated group as defined under Section 1504(a) of the Internal Revenue Code of 1986, as amended, except to be determined without regard to Section 1504(b)(3) of the Internal Revenue Code of 1986, as amended, and determined by substituting “at least eighty percent” with “more than fifty percent” each place the phrase appears under Section 1504(a) of the Internal Revenue Code of 1986, as amended. A partnership or any other entity other than a corporation shall be treated as a member of an expanded affiliated group if such entity is controlled by members of such group including any entity treated as a member of such group by reason of this subdivision;

(7) “Full-time equivalent employee”, a number of employees equal to the number determined by dividing the total number of hours of service for which wages were paid by the employer to employees during the taxable year, by two thousand eighty;

(8) “Insourcing plan”, a written plan to carry out the establishment of a business unit in Missouri as described in subdivision (5) of this subsection;

(9) “Taxpayer”, any individual, firm, partner in a firm, corporation, partnership, shareholder in an S corporation, or member of a limited liability company subject to the income tax imposed under chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265.

3. For all taxable years beginning on or after January 1, 2016, a taxpayer shall be allowed a deduction equal to fifty percent of the taxpayer’s eligible insourcing expenses in the taxable year chosen under subsection 5 of this section. The amount of the deduction claimed shall not exceed the amount of:

(1) For individuals, the taxpayer’s Missouri adjusted gross income for the taxable year the deduction is claimed; and

(2) For corporations, the taxpayer’s Missouri taxable income for the taxable year the deduction is claimed.

However, any amount of the deduction that cannot be claimed in the taxable year may be carried over to the next five succeeding taxable years until the full deduction has been claimed.

4. No deduction shall be allowed under this section until the department determines that the number of full-time equivalent employees of the taxpayer in the taxable year the deduction is claimed exceeds the number of full-time equivalent employees of the taxpayer in the taxable year prior to the taxpayer incurring any eligible insourcing expenses.

5. Only eligible insourcing expenses that occur in the taxable year such expenses are paid or incurred and:

(1) The taxpayer’s insourcing plan is completed; or

(2) The first taxable year after the taxpayer’s insourcing plan is completed;

shall be used to calculate the deduction allowed under this section.

6. Notwithstanding any other provision of law to the contrary, no deduction shall be allowed for

any expenses incurred due to dissolving a business unit in Missouri and relocating such business unit to another state.

7. The total amount of deductions authorized under this section shall not exceed five million dollars in any taxable year. In the event that more than five million dollars in deductions are claimed in a taxable year, deductions shall be issued on a first-come, first-served filing basis.

8. A taxpayer who receives a deduction under the provisions of this section shall be ineligible to receive incentives under the provisions of any other state tax deduction program for the same expenses incurred.

9. Any taxpayer allowed a deduction under this section who, within ten years of receiving such deduction, eliminates the business unit for which the deduction was allowed shall repay the amount of tax savings realized from the deduction to the state, prorated by the number of years the business unit was in this state.

10. The department of economic development and the department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word “facilities”; and

Further amend said bill, Page 11, Section 227.600, Line 57, by inserting after all of said section and line the following:

“379.1700. As used in sections 379.1700 to 379.1708, the following terms shall mean:

(1) “Digital network”, any online-enabled application, software, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) “Personal vehicle”, a vehicle that is used by a transportation network company driver and is:

(a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;

(3) “Prearranged ride”, the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;

(4) “Transportation network company”, a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;

(5) “Transportation network company driver” or “driver”, an individual who:

(a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) “Transportation network company rider” or “rider”, an individual or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

379.1702. 1. Beginning April 1, 2017, a transportation network company driver or transportation network company on the driver’s behalf shall maintain primary automobile insurance that:

(1) Recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport riders for compensation; and

(2) Covers the driver while the driver is logged on to the transportation network company’s digital network or while the driver is engaged in a prearranged ride.

2. The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company’s digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, one hundred thousand dollars for death and bodily injury per incident, and twenty-five thousand dollars for property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

3. The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth under section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

4. If insurance maintained by a driver in subsection 2 or 3 of this section has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend such claim. If the insurance maintained by the driver does not otherwise exclude coverage for loss or injury while the driver is logged on to a transportation network's digital network or while the driver provides a prearranged ride, but does not provide insurance coverage at the minimum limits required by subsection 2 or 3 of this section, the transportation network company shall maintain insurance coverage that provides excess coverage beyond the driver's policy limits up to the limits required by subsection 2 or 3 of this section, as applicable.

5. Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

6. Insurance required by this section may be placed with an insurer authorized to issue policies of automobile insurance in the state of Missouri or with an eligible surplus lines insurer under chapter 384.

7. Insurance satisfying the requirements of this section shall be deemed to satisfy the motor vehicle financial responsibility requirements for a motor vehicle under chapter 303.

8. A transportation network company driver shall carry proof of coverage satisfying subsections 2 and 3 of this section with him or her at all times during his or her use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation

network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers, upon request under section 303.024. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers whether the driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.

379.1704. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(1) The insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(2) That the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride depending on the policy's terms.

379.1706. A transportation network company shall make the following disclosure to a prospective driver in the prospective driver's terms of service:

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO THE OWNER OF THE VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

The disclosure set forth in this subsection shall be placed prominently in the prospective driver's written terms of service, and the prospective driver shall acknowledge the terms of service electronically or by signature.

379.1708. 1. Insurers that write automobile insurance in Missouri may exclude or limit any and all coverage afforded under an automobile insurance policy, including a motor vehicle liability policy, issued to an owner or operator of a personal vehicle, as defined by this chapter, for any loss or injury that occurs while:

(1) A driver is logged on to a transportation network company's digital network;

(2) A driver provides a prearranged ride; or

(3) A motor vehicle is being used to transport or carry persons or property for any compensation or suggested donation;

2. The right to exclude all coverage under subsection 1 of this section may apply to any coverage included in an automobile insurance policy including, but not limited to:

- (1) Liability coverage for bodily injury and property damage;**
- (2) Uninsured and underinsured motorist coverage;**
- (3) Medical payments coverage;**
- (4) Comprehensive physical damage coverage; and**
- (5) Collision physical damage coverage.**

Such exclusions shall apply notwithstanding any financial responsibility requirement or uninsured motorist coverage requirement under the motor vehicle financial responsibility law, chapter 303, or section 379.203, respectively. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a vehicle to transport passengers or property for compensation.

3. Nothing shall be deemed to preclude an insurer from providing coverage for the transportation network company driver's vehicle, if it chooses to do so by contract or endorsement.

4. Automobile insurers that exclude the coverage described under section 379.1702 shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in Missouri prior to the enactment of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

5. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 379.1702 at the time of loss.

6. In a claims coverage investigation, transportation network companies and any insurer providing coverage under section 379.1702 shall cooperate to facilitate the exchange of relevant information with each other and any insurer of the transportation network company driver if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under section 379.1702.

387.600. As used in sections 387.600 to 387.630, the following terms shall mean:

(1) "Digital network", any online-enabled application, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) "Personal vehicle", a vehicle that is used by a transportation network company driver and is:

(a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;

(3) “Prearranged ride”, the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;

(4) “Transportation network company”, a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;

(5) “Transportation network company driver” or “driver”, an individual who:

(a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) “Transportation network company rider” or “rider”, an individual or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

387.602. Notwithstanding any other provision of law, transportation network companies shall not be considered common carriers, contract carriers, or motor carriers, as defined under section 390.020, or for-hire vehicle service. A transportation network company driver shall not be required to register any vehicle the driver uses to provide prearranged rides as a commercial vehicle or as a for-hire vehicle.

387.604. Beginning August 28, 2016, any person operating a transportation network company in the state shall be required to obtain a permit from the department of revenue. The department shall issue permits to applicants who meet the requirements for a transportation network company as provided under sections 387.600 to 387.630 and who pay an annual, nonrefundable permit fee of five thousand dollars to the department. While operating as a transportation network company, such company shall maintain an agent for service of process within the state of Missouri.

387.608. On behalf of a transportation network company driver, a transportation network company may charge a fare for the services provided to riders; provided that, if a fare is collected from a rider, the transportation network company shall disclose to the rider the fare calculation

method in the vehicle on its website or within the software application service. The transportation network company shall also provide riders with the applicable rates being charged and the option to receive an estimated fare before the rider enters the transportation network company driver's vehicle.

387.610. The transportation network company shall meet the requirements of either subsection of this section at its option:

(1) Display in its software application or website a picture of the transportation network driver and the license plate number of the motor vehicle utilized for providing the prearranged ride before the passenger enters the transportation network company driver's vehicle; or

(2) Have clearly visible external markings on the front and back or both sides of the transportation network motor vehicles to easily identify the vehicle as a transportation network vehicle. Vehicle markings shall be no less than six inches tall and six inches wide. The transportation network driver shall display photo identification within the vehicle at all times.

387.612. After the completion of a prearranged ride secured on a digital network, within a reasonable period of time following the completion of a trip, a transportation network company shall transmit an electronic receipt to the transportation network company rider on behalf of the transportation network company driver that lists:

- (1) The origin and destination of the trip;
- (2) The total time and distance of the trip; and
- (3) An itemization of the total fare paid, if any.

387.620. Drivers shall be independent contractors and not employees of the transportation network company if all of the following conditions are met:

(1) The transportation network company does not prescribe specific hours during which a transportation network company driver must be logged into the transportation network company's digital network;

(2) The transportation network company imposes no restrictions on the transportation network company driver's ability to utilize digital networks from other transportation network companies;

(3) The transportation network company does not assign a transportation network company driver a particular territory in which prearranged rides can be provided;

(4) The transportation network company does not restrict a transportation network company driver from engaging in any other occupation or business; and

(5) The transportation network company and transportation network company driver agree in writing that the driver is an independent contractor of the transportation network company.

387.622. 1. The transportation network company shall implement a zero tolerance policy regarding a transportation network company driver's activities while accessing the transportation network company's digital network. The zero tolerance policy shall address the use of drugs or alcohol while a transportation network company driver is providing prearranged rides or is logged into the transportation network company's digital network but is not providing prearranged rides,

and the transportation network company shall provide notice of this policy on its website, as well as procedures to report a complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

2. Upon receipt of a rider complaint alleging a violation of the zero tolerance policy, the transportation network company shall immediately suspend such transportation network company driver's access to the transportation network company's digital network, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

3. The transportation network company shall maintain records relevant to the enforcement of this requirement for a period of at least two years from the date that a rider complaint is received by the transportation network company.

387.624. 1. Before allowing an individual to accept trip requests through a transportation network company's digital network:

(1) The individual shall submit an application to the transportation network company, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the transportation network company;

(2) The transportation network company shall conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:

(a) Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation; and

(b) National Sex Offender Registry database;

On or after August 28, 2019, the department of revenue may require a transportation network company to conduct or have a third party conduct a fingerprint background check for any applicant.

(3) The transportation network company shall obtain and review a driving history research report for such individual.

2. The transportation network company shall not permit an individual to act as a transportation network company driver on its digital network who:

(1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;

(2) Has been convicted within the past seven years of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage or theft, acts of violence, or acts of terror;

(3) Is a match in the National Sex Offender Registry database;

(4) Does not possess a valid driver's license;

(5) Does not possess proof of registration for the motor vehicle or vehicles used to provide prearranged rides;

(6) Does not possess proof of automobile liability insurance for the motor vehicle or vehicles used to provide prearranged rides; or

(7) Is not at least nineteen years of age.

3. A transportation network company driver who is qualified to accept trip requests through a transportation network company's digital network under this section shall not be required to obtain any other state or local license or permit to provide prearranged rides.

387.626. The transportation network company shall not allow a transportation network company driver to accept trip requests through the transportation network company's digital network unless any motor vehicle or vehicles that a transportation network company driver will use to provide prearranged rides meets the inspection requirements of section 307.350.

387.627. 1. The transportation network company shall adopt a policy of nondiscrimination with respect to riders and potential riders and notify transportation network company drivers of such policy.

2. Transportation network company drivers shall comply with all applicable laws regarding nondiscrimination against riders or potential riders.

3. Transportation network company drivers shall comply with all applicable laws relating to accommodation of service animals.

4. A transportation network company shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

387.628. A transportation network company shall maintain the following customer records:

(1) For prearranged rides secured through a digital network, individual trip records of rider customers for at least one year from the date each trip was provided; and

(2) Individual records of transportation network company driver customers at least until the one year anniversary of the date on which a transportation network company driver's customer relationship with the transportation network company has ended.

387.630. 1. Notwithstanding any other provision of law, transportation network companies and transportation network company drivers are governed exclusively by sections 387.600 to 387.630 and any rules promulgated by the State of Missouri consistent with such sections. No municipality or other local or state entity may impose a tax on or require a license for a transportation network company, a transportation network company driver, or a vehicle used by a transportation network company driver where such tax or licenses relates to providing prearranged rides, or subject a transportation network company to the municipality or other local or state entity's rate, entry, operational requirements, or other requirements. Nothing in this section shall apply to an earnings tax.

2. The department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly

pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

387.632. 1. Beginning August 28, 2016, and annually thereafter, a taxicab, a taxicab driver, a taxicab company as those terms are defined in section 67.1800, shall make an election filed with the department of revenue to comply with either:

- (1) The provisions of 387.600 through 387.630 herein; or
- (2) Applicable municipal regulation duly enacted or authorized by 67.1800 through 67.1822.

2. A taxicab company or taxicab driver, solely for purposes of satisfying 387.624 herein, may maintain primary commercial automobile liability coverage with a combined single limit of no less than four hundred thousand dollars for death, bodily injury or property damage provided such policy be issued by an insurer with a credit rating of no less than A- by A.M. Best.

387.634. 1. Transportation network companies shall not be considered employers of transportation network company drivers for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. Transportation network company drivers shall not be considered employees for purposes of chapters 285, 287, 288, and 290, except when agreed to by written contract. A transportation network company shall be required to have a written contract stating whether its drivers are considered independent contractors or employees. If the parties agree to the application of one or more of these laws in a written contract, the transportation network company shall notify the appropriate agency of the election to cover the driver. If the parties subsequently change this election, the transportation network company shall notify the appropriate agency of the change.

2. Except when agreed to by written contract, a transportation network company driver is not an agent of a transportation network company. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, Line 13, by deleting the phrase “**two million**” and inserting in lieu thereof the phrase “**one million**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 2, Section 68.075, Line 49, by inserting immediately after all of said line the following:

“68.080. 1. There is hereby created in the state treasury the “**Waterways Trust Fund**”. The proceeds from the following state taxes and fees shall be collected by the director of the department of revenue, who shall promptly deposit all such proceeds to the credit of the waterways trust fund:

- (1) The state sales tax on boats and outboard motors imposed and collected under chapter 144,

excluding the proceeds from that portion of the state sales and use tax dedicated by section 144.701 to the school district trust fund and the proceeds from that portion of the state sales and use tax dedicated to other funds under the constitution, reduced only by refunds for overpayments and erroneous payments of such tax as permitted by law and actual costs of collection by the department of revenue, but not to exceed three percent of the amount collected;

(2) The first two million dollars collected annually from the certificate of number fee imposed and collected under section 306.030;

(3) The certificate of title fee and all delinquency penalty fees imposed under section 306.015;

(4) The outboard motor registration and title fees and all delinquency penalty fees imposed under section 306.535; and

(5) The additional processing fees to process boat and outboard motor title and registration transactions imposed under subdivisions (1) to (5) of subsection 1 of section 136.055 and collected by all full-time or temporary offices maintained by the department of revenue.

2. The waterways trust fund may also receive any gifts, contributions, grants, or bequests received from federal, private, or other sources.

3. The waterways trust fund is a revolving trust fund exempt from the provisions of section 33.080 relating to the transfer of unexpended balances by the state treasurer to the general revenue fund of the state. All interest earned upon the balance in the waterways trust fund shall be deposited to the credit of the same fund.

4. Moneys in the waterways trust fund shall be withdrawn only upon appropriation by the general assembly on and after July 1, 2017, to be administered by the state highways and transportation commission and the department of transportation for the purposes in section 68.035 and for no other purpose. “; and

Further amend said bill, Page 11, Section 227.600, Line 57, by inserting immediately after all of said line the following:

“306.030. 1. The owner of each vessel requiring numbering by this state shall file an application for number with the department of revenue on forms provided by it. The application shall contain a full description of the vessel, factory number or serial number, together with a statement of the applicant’s source of title and of any liens or encumbrances on the vessel. For good cause shown the director of revenue may extend the period of time for making such application. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered in his or her name, shall thereupon issue an appropriate certificate of title over the director’s signature and sealed with the seal of the director’s office, procured and used for such purpose, and a certificate of number stating the number awarded to the vessel. The application shall include a provision stating that the applicant will consent to any inspection necessary to determine compliance with the provisions of this chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee specified in subsection 10 of this section. The owner shall paint on or attach to each side of the bow of the vessel the identification number in a manner as may be prescribed by rules and regulations of the division of water safety in order that it may be clearly visible. The number shall be maintained in legible condition. The certificate of number shall be

pocket size and shall be available at all times for inspection on the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such certificate of number is not available for inspection by the water patrol division or, if the operator cannot be determined, the person who is the registered owner of the vessel shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be registered but no fee shall be assessed for such registration.

2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.

3. The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the vessel on the waters of this state in excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and payment of registration fee shall be in the manner and pursuant to the procedure required for the award of a number under subsection 1 of this section. No additional or substitute number shall be issued unless the number is a duplicate of an existing Missouri number.

4. In the event that an agency of the United States government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

5. All records of the department of revenue made and kept pursuant to this section shall be public records.

6. Every certificate of number awarded pursuant to this chapter shall continue in force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this chapter.

Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same or in accordance with the provisions of sections 306.010 to 306.030.

7. The department of revenue shall fix the days and months of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this chapter and may stagger such dates in order to distribute the workload.

8. When applying for or renewing a vessel's certificate of number, the owner shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the year in which the renewal is due and which reflects that the vessel being renewed is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

9. When applying for or renewing a certificate of registration for a vessel documented with the United States Coast Guard under section 306.016, owners of vessels shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the renewal is due and which reflects that the vessel is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal

property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

10. The fee to accompany each application for a certificate of number is:

For vessels under 16 feet in length	\$25.00
For vessels at least 16 feet in length but less than 26 feet in length	\$55.00
For vessels at least 26 feet in length but less than 40 feet in length	\$100.00
For vessels at least 40 feet and over	\$150.00

11. The certificate of title and certificate of number issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection.

12. The first [two] **one** million dollars collected annually under the provisions of this section shall be deposited into the [state general revenue fund] **waterways trust fund established under section 68.080**. All fees collected under the provisions of this section in excess of [two] **one** million dollars annually shall be deposited in the water patrol division fund and shall be used exclusively for the water patrol division.

13. Notwithstanding the provisions of subsection 10 of this section, vessels at least sixteen feet in length but less than twenty-eight feet in length, that are homemade, constructed out of wood, and have a beam of five feet or less, shall pay a fee of fifty-five dollars which shall accompany each application for a certification number.

[306.180. All moneys collected and received by the department of revenue pursuant to this chapter shall be paid into the state treasury and shall, by the state treasurer, be placed in a separate fund to be known as the “Motorboat Fund”, which is hereby established. No money shall be paid out of this fund except by appropriation of the general assembly for the purposes of the construction and maintenance of boating facilities, education and instruction in boating safety, the enforcement of this chapter, and to reimburse the counties for expenditures made in the enforcement of this chapter, upon the recommendation of the water patrol division.]

Section B. The provisions of section 68.080 of section A of this act shall terminate on August 28, 2019.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word “facilities” and inserting in lieu thereof the word “infrastructure”; and

Further amend said bill, Page 11, Section 227.600, Line 57, by inserting after all of said section and line the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective

operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning

as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the

department of natural resources, may, in addition to the tax credits allowed in subsection 1 of this section, grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or

the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 [to 6] **and 5** of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any

applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

(1) The shareholders of the corporation described in section 143.471;

(2) The partners of the partnership. The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. Notwithstanding any provision of law to the contrary, in any county of the first classification that has a charter form of government and that has a population of over nine hundred thousand inhabitants, all demolition costs incurred during the redevelopment of any former automobile manufacturing plant shall be allowable costs eligible for tax credits under sections 447.700 to 447.718 so long as the redevelopment of such former automobile manufacturing plant shall be projected to create at least two hundred fifty new jobs or at least three hundred retained jobs, or a combination thereof, as determined by the department of economic development. The amount of allowable costs eligible for tax credits shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development, provided that no tax credit shall be issued under this subsection until July 1, 2017. For purposes of this subsection, "former automobile manufacturing plant" means a redevelopment area that qualifies as an eligible project

under section 447.700, that consists of at least one hundred acres, and that was used primarily for the manufacture of automobiles but, after 2007, ceased such manufacturing. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, In the Title, Line 3, by deleting the word “facilities” and inserting in lieu thereof the word “infrastructure”; and

Further amend said bill, Page 2, Section 68.075, Line 49, by inserting after all of said section and line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur’s, operator’s or driver’s license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic [telephone] transmission [reception]--two dollars[.];

(6) Each electronic look-up--two dollars;

(7) Notary fee--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 10, Section 227.600, Line 26, by deleting the phrase “**fuel supply facility or pipeline,**”; and

Further amend said bill and section, Pages 10-11, Lines 26-27, by deleting the phrase “**public work,**”; and

Further amend said bill and section, Page 11, Line 32, by inserting after the phrase “private partner.” the following:

“The commission or private partner shall not have the authority to collect user fees in connection with the project from motor carriers as defined in section 227.630. “Project” shall not include any highway, interstate or bridge construction, or any rest area, rest stop, or truck parking facility connected to an interstate or other highway under the authority of the commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, Page 1, In the Title, Line 3, by deleting the word “facilities” and inserting in lieu thereof the word “infrastructure”; and

Further amend said bill, Page 10, Section 227.600, Line 57, by inserting immediately after all of said section and line the following:

“301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words “SHOW-ME STATE”, the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the National Guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. **Except as provided under subsection 10 of this section,** license plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles either horizontally or vertically, with the letters and numbers plainly visible. The license plate on buses, other than school buses,

and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

10. No later than January 1, 2017, the director of revenue shall establish a permit program to allow applicants for motor vehicle license plates issued under this section, and applicants for motor vehicle license plate renewals under this section, to apply for a permit exempting any motor vehicle licensed at twelve thousand pounds or less from the requirement that a license plate be displayed on the front and rear of such vehicle. Applicants approved for a one-license plate permit issued under this subsection shall be issued a special license plate bearing the emblem of the Missouri Association of State Troopers Emergency Relief Society upon payment of a one-time emblem-use contribution to the Missouri Association of State Troopers Emergency Relief Society. The license plate issued shall be displayed on the rear of such vehicle not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plate issued shall contain the Missouri Association of State Troopers Emergency Relief Society emblem and a symbol designed by the department of revenue indicating that the license plate is for rear display only. Such license shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. An applicant's status as a permit holder under this subsection shall be noted on the motor vehicle's registration. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Wieland moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 861**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Nasheed moved that the Senate refuse to concur in **HCS** for **SB 833**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Nasheed moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, **HA 4**, as amended, **HA 5** and **HA 6** to **SB 627**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SB 799**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Kehoe, **HCS** for **HB 2379**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schatz, **HCS** for **HB 1912**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wasson, **HB 1816**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 1718** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HCS** for **HB 2496** was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HB 2402**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schatz, **HCS** for **HB 1561**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 2237** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 1695**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 2194**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Libla, **HCS** for **HB 2445** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1786**, with **SCS** was placed on the Informal Calendar.

HB 1565, introduced by Representative Engler, entitled:

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

Was taken up by Senator Dixon.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1565, Page 1, In the Title, Lines 2-3, by striking the words “public assistance”;

and insert in lieu thereof the words: “Mo HealthNet asset limits exclusively.”

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1565, Page 1, In the Title, Line 3, by inserting immediately after “assistance” the following: “, with an emergency clause for a certain section”; and

Further amend said bill, page 7, section 208.010, line 210, by inserting after all of said line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children’s diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term “temporary leave of absence” shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians’ services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician’s professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person’s physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant’s family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and

treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint

implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the

MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides

relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the MO HealthNet state plan amendment submitted by the department of social services that would allow a provider

to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive

communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536.

14. Beginning July 1, 2016, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.

Section B. Because immediate action is necessary to ensure adequate provision of behavior assessment and intervention services under the MO HealthNet program, the repeal and reenactment of section 208.152 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 208.152 of this act shall be in full force and effect July 1, 2016, or upon its passage and approval, whichever later occurs.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Bill No. 1565, Page 1, In the Title, Lines 2-3, by striking the words “public assistance” and inserting in lieu thereof the following: “the MO HealthNet program”; and

Further amend said bill, page 7, section 208.010, line 210, by inserting after all of said line the following:

“208.207. 1. Beginning January 1, 2017, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean, subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services, and the department may develop such rates

through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.

4. (1) The department of social services shall discontinue eligibility for persons who are eligible under subsection 1 of this section if:

(a) The federal medical assistance percentage established under 42 U.S.C. Section 1396d(y) or 1396d(z) is less than ninety percent as specified for 2020 and each year thereafter or an amount determined by the MO HealthNet oversight committee to be necessary to maintain state budget solvency, whichever is lower; and

(b) The general assembly votes to discontinue eligibility for persons who are eligible under subsection 1 of this section. Prior to any vote under this paragraph, the MO HealthNet oversight committee and the department of social services shall provide the general assembly with information on the current and projected expenses incurred due to expanding eligibility to persons under subsection 1 of this section in relation to health-related savings and revenues and health outcomes of individuals and families receiving benefits under subsection 1 of this section;

(2) The department of social services shall inform persons eligible under subsection 1 of this section that their benefits may be reduced or eliminated if federal funding decreases or is eliminated.

5. The MO HealthNet oversight committee shall conduct research and investigate any potential health-related savings and revenues associated with expanding eligibility to persons under subsection 1 of this section. The committee shall investigate the federal matching rate below which the state could not maintain the expanded eligibility to persons under subsection 1 of this section. If the amount is determined to be greater than ninety percent, the committee shall report its findings to the general assembly for its consideration prior to any vote under paragraph (b) of subdivision (1) of subsection 4 of this section. In conducting its research and investigation, the committee shall also determine the feasibility of:

(1) Implementing capped cost sharing for persons eligible under subsection 1 of this section which may be reduced based on healthy behaviors of participants;

(2) Expanding Medicaid coverage for certain health care services that are currently financed by the state; and

(3) Enrolling persons under subsection 1 of this section in private health benefit plans.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Dixon raised the point of order that **SA 3** is out of order as it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **HB 1565**, with **SA 3** and point of order (pending), back on the Informal Calendar.

REFERRALS

President Pro Tem Richard referred **SR 2214**, **SR 2215** and **SR 2216** to the Committee on Rules, Joint

Rules, Resolutions and Ethics.

PRIVILEGED MOTIONS

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SB 735**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 2237, introduced by Representative Rowden, entitled:

An Act to repeal sections 49.098 and 262.590, RSMo, and to enact in lieu thereof two new sections relating to University of Missouri extension councils.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HB 2237** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1941**, with **SCS**, entitled:

An Act to repeal section 572.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 572.010 as enacted by Referendum, Proposition A, November 3, 1992, and to enact in lieu thereof two new sections relating to gaming activities.

Was taken up by Senator Keaveny.

SCS for **HCS** for **HB 1941**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1941

An Act to repeal section 572.010 as enacted by senate bill no. 491, ninety-seventh general

assembly, second regular session, and section 572.010 as enacted by Referendum, Proposition A, November 3, 1992, RSMo, and to enact in lieu thereof fourteen new sections relating to the Missouri daily fantasy sports consumer protection act, with penalty provisions.

Was taken up.

Senator Onder assumed the Chair.

Senator Keaveny moved that **SCS** for **HCS** for **HB 1941** be adopted.

Senator Keaveny offered **SS** for **SCS** for **HCS** for **HB 1941**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1941

An Act to amend chapter 313, RSMo, by adding thereto twelve new sections relating to fantasy sports contests.

Senator Keaveny moved that **SS** for **SCS** for **HCS** for **HB 1941** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1941, Page 1, In the Title, Line 3 of said title, by inserting immediately after the word “contests” the following: “, with an emergency clause”; and

Further amend said bill, page 17, section 313.1020, line 19 of said page, by inserting after all of said line the following:

“Section B. Because immediate action is needed to protect the economic interests of the state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

At the request of Senator Keaveny, **HCS** for **HB 1941**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Dixon moved that **HB 1565**, with **SA 3** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Dixon, the point of order was withdrawn.

SA 3 was again taken up.

Senator Curls requested a roll call vote be taken on the adoption of **SA 3**. She was joined in her request by Senators Kraus, Nasheed, Schupp and Sifton.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton—7
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NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

Having voted on the prevailing side, Senator Silvey moved that the vote by which **SA 2** was adopted, be reconsidered.

Senator Schupp raised the point of order that **SA 2** was adopted by a voice vote, therefore the yeas and naes were not recorded and thus cannot be determined.

The point of order was referred to the President Pro Tem, who took it under advisement, which placed **HB 1565** and point of order (pending), back on the Informal Calendar.

HCS for HB 1599, with **SCS**, entitled:

An Act to repeal section 193.125, RSMo, and to enact in lieu thereof two new sections relating to birth certificates.

Was taken up by Senator Sater.

SCS for HCS for HB 1599, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1599

An Act to repeal sections 193.125 and 453.080, RSMo, and to enact in lieu thereof three new sections relating to birth certificates.

Was taken up.

Senator Sater moved that **SCS for HCS for HB 1599** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS for HCS for HB 1599** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schaaf assumed the Chair.

Senator Dixon moved that **HB 1565**, with point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

The point of order was ruled not well taken.

The motion to reconsider the adoption of **SA 2** prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senator Schupp—1

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

SA 2 was again taken up.

At the request of Senator Silvey, **SA 2** was withdrawn.

Having voted on the prevailing side, Senator Dixon moved that the vote by which **SA 1** was adopted, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senator Schupp—1

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—2

SA 1 was again taken up.

At the request of Senator Dixon, **SA 1** was withdrawn.

On motion of Senator Dixon, **HB 1565** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—29

NAYS—Senator Sater—1

Absent—Senators

Kraus Walsh—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1765**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1585**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following

report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 1620**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 986**, entitled:

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, Page 8, Section 7, Line 27, by inserting after all of said section and line the following:

“Section 8. 1. The director of the department of natural resources shall, at public auction or private sale, sell, transfer, grant, convey, remise, release and forever quitclaim to all interest of the state of Missouri in property located in Oregon County, Missouri, more particularly described as follows:

TRACT 1:

TOWNSHIP 22 NORTH, RANGE 2 WEST:

Section 3: All that part lying West of, or right bank of, the Eleven Point River;

Section 4: All that part of the East Half lying West of, or right bank of, the Eleven Point River; All of Lot 1 of the NW1/4;

Section 5: All of Lot 1 of the NE1/4; All of Lots 1 and 2 of the NW1/4; All that part of the E1/2 of Lot 3 of the NW1/4 of Section 5 which lies South and West of Billmore Hollow, EXCEPT therefrom that part lying north of Hwy “Y”; All of the W1/2 of Lot 3 of the NW1/4;

Section 6: All of the E1/2 of Lots 2 and 3 of the NE1/4;

Section 9: All of the North Fractional Half of the NE Fractional Quarter lying West of, or right bank of, the Eleven Point River;

TOWNSHIP 23 NORTH, RANGE 2 WEST:

Section 33: All of the SE1/4;

Section 34: All of the SW1/4 lying West of, or right bank of, the Eleven Point River.

PARCEL I:

An easement for ingress and egress over and across an existing private road, 50 feet in width, running Southeasterly from Highway “Y” to a point near the South line of Section 32, Township 23, Range 2, and thence East along the South line of Sections 32 and 33, in Township 23, Range 2 to the West line of the above described property.

TRACT 2:

All of Lot One (1) of the Northeast Quarter (NE1/4) and all that part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) lying South and East of Highway Y, in Section Six (6), Township Twenty-two (22), Range Two (2) West. The East Half (E1/2) of the Southeast Quarter (SE1/4) of Section Six (6), Township Twenty-two (22) North, Range Two (2) West. All the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Six (6), Township Twenty-two (22) North, Range Two (2) West of the Fifth Principal Meridian, except therefrom a strip of land 10 feet wide (being the south ten feet) of SE1/4 of said Section 6 for roadway, and except right of way for State Highway Y as shown recorded in Book 172 at Page 86 of the records of Oregon County, Missouri.

TOWNSHIP 22 NORTH, RANGE 2 WEST

Section 5: All of the North Half of the Southeast Quarter; Block 2 in Charles W. Melton and wife and E. W. Sitton and wife Subdivision of the SE 1/4 of the SE1/4 of Section 5 as shown in Plat Book 8 at Page 21 of the records of Oregon County, Missouri; All of the Southwest Quarter of the Southeast Quarter; All of the Southwest Quarter;

Section 7: All of the East Half of the Northeast Quarter; Block 1 of J. F. Melton Subdivision of the SW1/4 of the NE1/4 of Section 7 as shown in Plat Book 6 at Page 5 of the records of Oregon County, Missouri; All of the Northwest Quarter of the Northeast Quarter;

Section 8: Block 5 in S. D. Melton's Subdivision of the NE1/4 of the NE1/4 of Section 8 as shown in Plat Book 7 at Page 16 of the records of Oregon County, Missouri; Lot 2 Block 1 in S. D. Melton's Subdivision of the SW1/4 of the NE1/4 of Section 8 as shown in Plat Book 7 at Page 16 of the records of Oregon County, Missouri; All of the Northwest Quarter of the Northeast Quarter; All of Block 1 in G. T. Thomasson and wife's Subdivision of the NE1/4 of the SW1/4 of Section 8 as shown in Plat Book 6 at Page 38 of the Records of Oregon County, Missouri; All of Lot 1 of Block 1 in G. T. Thomasson and wife's former Subdivision of the NW1/4 of the SW1/4 of Section 8 as shown in Plat Book 7 at Page 17 of the Records of Oregon County, Missouri; All of the Northwest Quarter.

2. The property described in subsection 1 of this section shall not be used as a park, as the term is defined in section 253.010.

3. The property described in subsection 1 of this section shall first be offered for sale to the grantor of the property that granted such property to the department of natural resources and dedicated such property for public use, with such grantor having the right of first refusal. The grantor shall be offered the ability to repurchase such property at eighty percent of the property's fair market value. Such grantor shall have thirty calendar days to respond and accept such offer by the department of natural resources. If the grantor does not respond and accept such offer within thirty calendar days, the department may offer the property for sale at public auction or to any third party without the condition that such property be dedicated to public use, but shall not sell such property for less than eighty percent of the property's fair market value.

4. The commissioner of administration may set the terms and conditions for the conveyance as the commissioner deems reasonable so long as such terms do not conflict with the requirements of subsection 1 of this section. The property described under subsection 1 of this section may be subdivided and sold in parcels of not less than three hundred acres.

5. The attorney general shall approve the form of the instrument of conveyance.

6. The property described under subsection 1 of this section shall be sold, transferred, granted, conveyed, remitted, released and forever quitclaimed by the director of the department of natural resources by December 31, 2016.

Section 9. 1. The director of the department of natural resources shall, at public auction or private sale, sell, transfer, grant, convey, remise, release and forever quitclaim to all interest of the state of Missouri in property located in Oregon County, Missouri, more particularly described as follows:

Tract 1:

Township 23 North, Range 2 West

Section 20: That part of the Northeast Quarter of the Southeast Quarter lying North and East of a line beginning at C-E-E 1/64th corner, thence in a Southeasterly direction to N-S 1/64th corner, Sections 20 and 21. All that part of the following described tracts lying East of Highway Y: The Southeast Quarter, the North Half of the Southwest Quarter, and the South Half of the Northwest Quarter: EXCEPT that part of the Northeast Quarter of the Southeast Quarter lying North and East of a line beginning at C-E-E 1/64th corner, thence in a Southeasterly direction to N-S 1/64th corner, Sections 20 and 21.

Section 21: All of the East Fractional Half of the Southeast Fractional Quarter lying west of, or right bank of, the Eleven Point River All that part of the Southwest Fractional Quarter of the Southeast Fractional Quarter lying west of, or right bank of, the Eleven Point River; All of the Southeast Quarter of the Southwest Quarter; All that part of the West Fractional Half of the Southwest Quarter of Section 21 that lies south of, or right bank of, the Eleven Point River; All that part of the NE1/4 of the SW1/4 and all that part of the NW1/4 of the SE1/4 lying west of, or the right bank of the Eleven Point River.

Section 27: All that part of Section 27 lying west of, or right bank of, the Eleven point river EXCEPT THAT PART of the West Fractional Half of the Southwest Fractional Quarter south and west and being right bank of Eleven Point River lying north of the 1/64th line east to Eleven Point River from the N-S 1/64th corner of Sections 27 and 28;

Section 28: All that part of Section 28 lying west of, or right bank of the Eleven Point River EXCEPT THAT PART of the Northeast Fractional Quarter of the Southeast Fractional Quarter west and being right bank of Eleven Point River lying east of the 1/64th line beginning at C-E-E 1/64th corner, thence south along E-E 1/64th line to C-S-NE-SE 1/256th corner;

Section 29: All that part of the following described tracts lying East of Highway Y: The South Half of the North Half, the North Half of the Southeast Quarter. All that part of the following described tracts lying East of Highway Y: The North Half of the North Half.

Section 33: NE1/4 of Section 33

Section 34: All that part of the N1/2 lying west of, or right bank of the Eleven Point River.

Tract 2:

A Tract of land located in part of the NW1/4 of Section 33, Township 23 North, Range 2 West, 5th P.M., more particularly described as follows: BEGINNING at the Northwest corner of the

NW1/4 of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE South 88 degrees 54 minutes 38 seconds East along the North line of the NW1/4 of said Section 33, a distance of 2685.46 feet to the Northeast corner of the NW1/4 of said Section 33; THENCE South 01 degrees 59 minutes 05 seconds West along the East line of the NW1/4 of said Section 33; THENCE South 01 degrees 59 minutes 05 seconds West along the East line of the NW1/4 of said Section 33, a distance of 2095.82 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE North 88 degrees 07 minutes 05 seconds West, a distance of 1623.93 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE North 29 degrees 22 minutes 35 seconds West, a distance of 405.72 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE North 77 degrees 45 minutes 53 seconds West, a distance of 857.10 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the West line of the NW1/4 of said Section 33; THENCE North 01 degrees 44 minutes 27 seconds East along the West line of the NW1/4 of said Section 33, a distance of 1557.81 feet to the point of beginning. Contains 118.804 acres, more or less.

Also One Hundred (100) feet off the North end of the E1/2 of Section 32, Township 23 North Range 2 West lying east of State Highway Y. Contains 5.32 acres, more or less.

Tract 3:

A Tract of land located in part of the W1/2 of Section 33, Township 23 North, Range 2 West, 5th P.M., more particularly described as follows: COMMENCING at the Northwest corner of the NW1/4 of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE S01°44'27"W along the West line of the W1/2 of said Section 33, a distance of 1557.81 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235", the true POINT OF BEGINNING; THENCE S77°45'53"E, a distance of 857.10 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S29°22'35"E, a distance of 405.72 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S88°07'05"E, a distance of 1623.93 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the East line of the W1/2 of said Section 33; THENCE S01°59'05"W along the East line of the W1/2 of said Section 33, a distance of 3198.69 feet to the Southeast corner of the W1/2 of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE N88°46'02"W along the South line of the W1/2 of said Section 33, a distance of 2376.56 feet; THENCE N88°59'23"W, continuing along the South line of the W1/2 of said Section 33, a distance of 286.30 feet to the Southwest corner of the W1/2 of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE N01°44'27"E along the West line of the W1/2 of said Section 33, a distance of 3730.78 feet to the point of beginning.

ALSO a tract of land located in part of the E1/2 of Section 32, Township 23 North, Range 2 West, 5th P.M. lying East of State Highway "Y" more particularly described as follows: BEGINNING at the Northeast corner of the E1/2 of said Section 32, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE S01°44'27"W along the East line of the E1/2 of said Section 32, a distance of 5288.59 feet to the Southeast corner of the E1/2 of said Section 32, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE N88°59'23"W along the South line of the E1/2 of said Section 32, a distance of 1174.89 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set in the

centerline of a road; THENCE Northwesterly along the centerline of said road, the following 7 courses and distances:

- 1) N53°07'50"W, a distance of 232.94 feet;
- 2) Northwesterly along the arc of a curve to the right, a distance of 329.08 feet, said curve having a radius of 853.54 feet and a central angle of 22°05'25";
- 3) N31°02'27"W, a distance of 174.37 feet;
- 4) Northwesterly along the arc of a curve to the right, a distance of 114.74 feet, said curve having a radius of 376.24 feet and a central angle of 17°28'24";
- 5) N13°34'03"W, a distance of 60.83 feet;
- 6) Northwesterly along the arc of a curve to the left, a distance of 116.41 feet, said curve having a radius of 135.37 feet and a central angle of 49°16'19";
- 7) N62°50'22"W, a distance of 45.54 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set in the Easterly right-of-way line of said Highway "Y";

THENCE Northerly along the Easterly right-of-way line of said Highway "Y" the following 11 courses and distances:

- 1) N10°58'49"E, a distance of 596.72 feet;
- 2) Northerly along the arc of a curve to the left, a distance of 532.04 feet, said curve having a radius of 1202.90 feet and a central angle of 25°20'30";
- 3) N14°53'34"W, a distance of 443.59 feet;
- 4) Northerly along the arc of a curve to the right, a distance of 188.16 feet, said curve having a radius of 929.48 feet and a central angle of 11°35'55";
- 5) N03°08'38"W, a distance of 881.47 feet;
- 6) N02°01'44"W, a distance of 385.89 feet;
- 7) Northerly along the arc of a curve to the right, a distance of 294.42 feet, said curve having a radius of 1020.52 feet and a central angle of 16°31'47";
- 8) N13°33'40"W, a distance of 411.18 feet;
- 9) Northerly along the arc of a curve to the right, a distance of 145.39 feet, said curve having a radius of 872.95 feet and a central angle of 09°32'33";
- 10) N04°25'44"W, a distance of 542.80 feet;
- 11) Northerly along the arc of a curve to the right, a distance of 136.94 feet, said curve having a radius of 531.11 feet and a central angle of 14°46'23" to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the North line of the E1/2 of said Section 32; THENCE S88°50'26"E along the North line of the E1/2 of said Section 32, a distance of 2306.26 feet to the point of beginning.

EXCEPT One Hundred (100) feet off the North end of the E1/2 of Section 32, Township 23 North Range 2 West lying east of State Highway Y.

EXCEPT FROM THE ABOVE DESCRIBED TRACTS: A Tract of land located in part of the

NW1/4 of the SW1/4, the S1/2 of the SW1/4 and the SW1/4 of the SE1/4 of Section 28 and in part of the E1/2 of Section 32 and in part of the NW1/4 of the NE1/4 and the W1/2 of Section 33, all in Township 23 North, Range 2 West, 5th P.M., more particularly described as follows: BEGINNING at the Northwest corner of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE N01°28'21"E along the West line of the S1/2 of the SW1/4 of said Section 28, a distance of 1321.75 feet to the Southwest corner of the NW1/4 of the SW1/4 of said Section 28, a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE N06°33'11"E, a distance of 44.17 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S87°39'26"E, a distance of 43.01 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S37°01'33"E, a distance of 292.00 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S47°29'15"E, a distance of 714.87 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S00°01'21"E, a distance of 577.93 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE N60°33'51"E, a distance of 819.53 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE N65°56'00"E, a distance of 855.43 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S06°39'52"W, a distance of 167.32 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S17°27'52"E, a distance of 240.29 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S34°34'14"E, a distance of 384.45 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S86°58'59"E, a distance of 193.42 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S09°39'02"E, a distance of 800.21 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S70°21'17"W, a distance of 409.82 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S59°26'51"W, a distance of 587.94 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S52°00'37"W, a distance of 269.32 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S15°30'30"E, a distance of 647.94 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S09°04'42"E, a distance of 779.77 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S08°27'07"E, a distance of 508.03 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S13°19'43"W, a distance of 201.64 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S01°05'15"E, a distance of 787.24 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S03°53'24"E, a distance of 881.25 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235"; THENCE S13°15'24"W, a distance of 288.39 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the South line of the W1/2 of said Section 33; THENCE N88°46'02"W along the South line of the W1/2 of said Section 33, a distance of 1981.28 feet; THENCE N88°59'23"W continuing along the South line of the W1/2 of said Section 33, a distance of 286.30 feet to the Southwest corner of the W1/2 of said Section 33, a 5/8" rebar with an aluminum cap stamped "Norsworthy PLS 2235"; THENCE continuing N88°59'23"W along the South line of the E1/2 of said Section 32, a distance of 1174.98 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set in the centerline of an existing road; THENCE Northwesterly along the centerline of said existing road, the following 7 courses and distances:

- 1) N53°07'50"W, a distance of 232.94 feet;

2) Northwesternly along the arc of a curve to the right, a distance of 329.08 feet, said curve having a radius of 853.54 feet and a central angle of 22°05'25";

3) N31°02'27"W, a distance of 174.37 feet;

4) Northwesternly along the arc of a curve to the left, a distance of 114.74 feet, said curve having a radius of 376.24 feet and a central angle of 17°28'24";

5) N13°34'03"W, a distance of 60.83 feet;

6) Northwesternly along the arc of a curve to the left, a distance of 116.41 feet, said curve having a radius of 135.37 feet and a central angle of 49°16'19";

7) N62°50'22"W, a distance of 45.54 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set in the Easterly right-of-way line of State Highway "Y"; THENCE Northerly along the Easterly right-of-way line of said Highway "Y" the following 12 courses and distances:

1) N10°58'49"E, a distance of 596.72 feet;

2) Northerly along the arc of a curve to the left, a distance of 532.04 feet, said curve having a radius 1202.90 feet and a central angle of 25°20'30";

3) N14°53'34"W, a distance of 443.59 feet;

4) Northerly along the arc of a curve to the right, a distance of 188.16 feet, said curve having a radius of 929.48 feet and a central angle of 11°35'55";

5) N03°08'38"W, a distance of 881.47 feet;

6) N02°01'44"W, a distance of 385.89 feet;

7) Northerly along the arc of a curve to the left, a distance of 294.42 feet, said curve having a radius of 1020.52 feet and a central angle of 16°31'47";

8) N13°33'40"W, a distance of 411.18 feet;

9) Northerly along the arc of a curve to the right, a distance of 145.39 feet, said curve having a radius of 872.95 feet and a central angle of 09°32'33";

10) N04°25'44"W, a distance of 542.80 feet;

11) Northerly along the arc of a curve to the right, a distance of 129.35 feet, said curve having a radius of 676.80 feet and a central angle of 10°57'00" to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the North line of the E1/2 of said Section 32;

12) N06°30'24"E, a distance of 7.44 feet to a 5/8" rebar with a plastic cap stamped "Norsworthy PLS 2235" set on the North line of the E1/2 of said Section 32;

THENCE S88°50'26"E along the North line of the E1/2 of said Section 32, a distance of 2306.00 feet to the point beginning. Contains 547.327 acres, more or less.

2. The property described in subsection 1 of this section shall not be used as a park, as the term is defined in section 253.010.

3. The property described in subsection 1 of this section shall first be offered for sale to the grantor of the property that granted such property to the department of natural resources and

dedicated such property for public use, with such grantor having the right of first refusal. The grantor shall be offered the ability to repurchase such property at eighty percent of the property's fair market value. Such grantor shall have thirty calendar days to respond and accept such offer by the department of natural resources. If the grantor does not respond and accept such offer within thirty calendar days, the department may offer the property for sale at public auction or to any third party without the condition that such property be dedicated to public use, but shall not sell such property for less than eighty percent of the property's fair market value.

4. The commissioner of administration may set the terms and conditions for the conveyance as the commissioner deems reasonable so long as such terms do not conflict with the requirements of subsection 1 of this section. The property described under subsection 1 of this section may be subdivided and sold in parcels of not less than three hundred acres.

5. The attorney general shall approve the form of the instrument of conveyance.

6. The property described under subsection 1 of this section shall be sold, transferred, granted, conveyed, remitted, released, and forever quitclaimed by the director of the department of natural resources by **December 31, 2016.**"; and

Further amend said bill, Page 8, Section B, Line 5, by inserting after all of said section and line the following:

"Section C. Because immediate action is necessary to perform primary restoration projects with the revenue generated from the sale of such state property, sections 8 and 9 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 8 and 9 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **HCS** for **HB 1877** and has taken up and passed **SS** for **HCS** for **HB 1877**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HB 1936** and has taken up and passed **SCS** for **HB 1936**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2**, **SA 3**, **SA 4**, **SA 5** and **SA 6** to **HCS** for **HB 1562** and has taken up and passed **HCS** for **HB 1562**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **SCS** for **HB 1698** and has taken up and passed **SCS** for **HB 1698**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 2125** and has taken up and passed **SCS** for **HB 2125**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 572**, as amended, and requests a further conference on **HCS** for **SS** for **SCS** for **SB 572**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HB 1414** and has taken up and passed **SCS** for **HB 1414**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS#2**, as amended, for **SCS** for **HCS** for **HB 1550** and has taken up and passed **SS#2** for **SCS** for **HCS** for **HB 1550**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 2030** and has taken up and passed **SCS** for **HCS** for **HB 2030**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HB 1682** and has taken up and passed **SCS** for **HB 1682**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HB 2355** and has taken up and passed **SS** for **HB 2355**.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate grant the House further conference on **HCS** for **SS** for **SCS** for **SB 572**, as amended, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 572**, as amended: Senators Schmitt, Schaefer, Dixon, Keaveny and Holsman.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SB 997**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

Senator Kehoe announced photographers from the Herizon Productions were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 572**, as amended. Representatives: Cornejo, McGaugh, Curtman, Rizzo, and Mitten.

HOUSE BILLS ON THIRD READING

HCS for **HB 2029**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to step therapy for prescription drugs.

Was called from the Informal Calendar and taken up by Senator Sater.

Senator Sater offered **SS** for **HCS** for **HB 2029**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2029**

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to step therapy for prescription drugs.

Senator Sater moved that **SS** for **HCS** for **HB 2029** be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **HCS** for **HB 2029** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2194**, with **SCS**, entitled:

An Act to repeal sections 375.004 and 379.118, RSMo, and to enact in lieu thereof two new sections relating to the renewal of insurance policies.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HCS** for **HB 2194**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2194

An Act to repeal sections 375.004 and 379.118, RSMo, and to enact in lieu thereof two new sections relating to the renewal of insurance policies.

Was called from the Informal Calendar and taken up.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 2194**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2194

An Act to repeal sections 287.955, 374.205, 375.004, 379.118, and 379.125, RSMo, and to enact in lieu thereof six new sections relating to the regulation of insurance.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 2194** be adopted, which motion prevailed.

Senator Wallingford assumed the Chair.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 2194** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Brown moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 986**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 2402**, with **SCS**, entitled:

An Act to repeal sections 197.315 and 536.031, RSMo, and to enact in lieu thereof three new sections relating to administrative rules for the regulation of health care facilities, with an emergency clause for a certain section.

Was called from the Informal Calendar and taken up by Senator Pearce.

SCS for **HCS** for **HB 2402**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2402

An Act to repeal sections 197.315 and 536.031, RSMo, and to enact in lieu thereof five new sections relating to the regulation of health care facilities, with an emergency clause for a certain section.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 2402** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2402, Pages 4-5, Section 197.321, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Onder, Schaaf and Schatz.

Senator Hegeman assumed the Chair.

At the request of Senator Pearce, **HCS** for **HB 2402**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Riddle moved that **HB 1443**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Pearce, the above amendment was withdrawn.

On motion of Senator Riddle, **HB 1443** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 2379**, with **SCS**, entitled:

An Act to amend chapters 167 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

Was called from the Informal Calendar and taken up by Senator Kehoe.

SCS for **HCS** for **HB 2379**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2379

An Act to amend chapters 167 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

Was taken up.

Senator Kehoe offered **SS** for **SCS** for **HCS** for **HB 2379**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2379

An Act to amend chapters 167 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 2379** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2379, Page 1, In the Title, Line 3, by striking “dyslexia” and inserting in lieu thereof the following: “student safety”; and

Further amend said bill, Page 4, Section 167.950, Line 2 of said page, by inserting after all of said line the following:

“170.047. 1. Beginning in the 2017-2018 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

170.048. 1. By July 1, 2018, each district shall adopt a policy for youth suicide awareness and prevention, including plans for how the district will provide for the training and education of its district employees.

2. Each district’s policy shall include, but not be limited to the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;**
- (2) Strategies and protocols for helping students at possible risk of suicide; and**
- (3) Protocols for responding to a suicide death.**

3. By July 1, 2017, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2021, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department’s model policy. The department shall post any information on its website that it has

received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **SCS** for **HCS** for **HB 2379**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SCS** for **HCS** for **HB 2379**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Onder moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 572**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 572

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, and House Amendment No. 6, begs leave

to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 572;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt
 /s/ Kurt Schaefer
 /s/ Bob Dixon
 /s/ Joseph P. Keaveny
 /s/ Jason Holsman

FOR THE HOUSE:

/s/ Robert Cornejo
 /s/ Joe Don McGaugh
 /s/ Paul Curtman
 /s/ John Rizzo
 Gina Mitten

Senator Schmitt moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Pearce Sater—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **CCS No. 2** for **HCS** for **SS** for **SCS** for **SB 572**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 572**

An Act to repeal sections 67.287, 67.398, 67.451, 79.490, 80.570, 479.020, 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof twenty-four new sections relating to local government, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wieland—30					

NAYS—Senators—None

Absent—Senators

Sater	Wasson—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1912**, with **SCS**, entitled:

An Act to repeal sections 49.330, 49.410, 49.420, 49.430, 49.440, 50.660, 50.783, 50.790, 55.161, 64.875, 192.300, and 197.315, RSMo, and to enact in lieu thereof twelve new sections relating to political subdivisions, with penalty provisions, and an emergency clause for a certain section.

Was called from the Informal Calendar and taken up by Senator Schatz.

SCS for **HCS** for **HB 1912**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1912

An Act to repeal sections 49.330, 49.410, 49.420, 49.430, 49.440, 50.660, 50.783, 50.790, 55.161, 64.875, 192.300, and 197.315, RSMo, and to enact in lieu thereof eleven new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Schatz moved that **SCS** for **HCS** for **HB 1912** be adopted.

Senator Schatz offered **SS** for **SCS** for **HCS** for **HB 1912**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1912

An Act to repeal sections 49.098, 49.330, 49.410, 49.420, 49.430, 49.440, 50.660, 50.783, 50.790, 55.161, 64.875, 67.145, 137.100, 182.660, 192.300, 197.315, 214.160, 262.590, 315.005, and 473.730,

RSMo, and to enact in lieu thereof twenty-four new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 1912** be adopted.

Senator Riddle assumed the Chair.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1912, Pages 14-15, Section 71.282 by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1912, Page 36, Section 321.553, Line 1 of said page, by inserting immediately after said line the following:

“393.1003. 1. Notwithstanding any provisions of chapter 386 and this chapter to the contrary, as of August 28, 2003, a water corporation providing water service in a county with a charter form of government and with more than one million inhabitants may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation’s rates and charges to provide for the recovery of costs for eligible infrastructure system replacements made in such county with a charter form of government and with more than one million inhabitants; provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars but not in excess of ten percent of the water corporation’s base revenue level approved by the commission in the water corporation’s most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006. **Once a county has come under the operation of this section, a subsequent loss of population shall not remove that county from the operation of that law. Such was the intent of the general assembly in the original enactment of this section.**

2. The commission shall not approve an ISRS for a water corporation in a county with a charter form of government and with more than one million inhabitants that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation collect an ISRS for a period exceeding three years unless the water corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schatz, **HCS** for **HB 1912**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HB 1816, introduced by Representative Koenig, with **SCS**, entitled:

An Act to repeal sections 334.040, 334.104, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, and 335.355, RSMo, and to enact in lieu thereof fifteen new sections relating to health care, with a contingent effective date for certain sections.

Was called from the Informal Calendar and taken up by Senator Wasson.

Senator Pearce assumed the Chair.

SCS for **HB 1816**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1816

An Act to repeal sections 324.001, 334.040, 335.203, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 336.020, 376.1237, and 630.175, RSMo, and to enact in lieu thereof thirty-four new sections relating to health care, with a contingent effective date for certain sections.

Was taken up.

Senator Wasson moved that **SCS** for **HB 1816** be adopted.

Senator Wasson offered **SS** for **SCS** for **HB 1816**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1816

An Act to repeal sections 324.001, 334.040, 335.203, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 336.020, 376.1237, and 630.175, RSMo, and to enact in lieu thereof thirty-two new sections relating to health care providers, with a contingent effective date for certain sections.

Senator Wasson moved that **SS** for **SCS** for **HB 1816** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HB 1816** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson—30					

NAYS—Senators—None

Absent—Senators

Nasheed Wieland—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 1696**, with **SCS**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the Missouri commission for the deaf and hard of hearing.

Was called from the Informal Calendar and taken up by Senator Riddle.

SCS for **HCS** for **HB 1696**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1696

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the Missouri commission for the deaf and hard of hearing.

Was taken up.

Senator Onder assumed the Chair.

Senator Riddle moved that **SCS** for **HCS** for **HB 1696** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **HCS** for **HB 1696** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Pearce Richard—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Keaveny moved that **HCS** for **HB 1941**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Schaaf, the above amendment was withdrawn.

Senator Pearce assumed the Chair.

Under the provisions of Senate Rule 91, Senator Walsh was excused from voting on the adoption of **SS** for **SCS** for **HCS** for **HB 1941** and third reading of the bill.

Senator Keaveny moved that **SS** for **SCS** for **HCS** for **HB 1941** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SS** for **SCS** for **HCS** for **HB 1941** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Holsman	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Pearce	Richard	Riddle	Romine	Sater
Schatz	Schupp	Sifton	Silvey	Wallingford	Wasson—20	

NAYS—Senators

Brown	Dixon	Emery	Hegeman	Kraus	Parson	Schaaf
Schaefer	Schmitt	Wieland—10				

Absent—Senator Onder—1

Absent with leave—Senators—None

Excused from voting—Senator Walsh—1

Vacancies—2

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HBs 1434** and **1600**, with **SCS**, entitled:

An Act to repeal sections 99.805, 99.820, and 99.825, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

Was taken up by Senator Walsh.

SCS for HCS for HBs 1434 and 1600, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1434 and 1600

An Act to repeal sections 99.805, 99.820, 99.825, 99.845, and 99.865, RSMo, and to enact in lieu thereof five new sections relating to tax increment financing.

Was taken up.

Senator Walsh moved that **SCS for HCS for HBs 1434 and 1600** be adopted, which motion prevailed.

On motion of Senator Walsh, **SCS for HCS for HBs 1434 and 1600** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2376, with **SCS**, entitled:

An Act to repeal sections 68.057 and 536.031, RSMo, and to enact in lieu thereof six new sections relating to construction regulation.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for HCS for HB 2376, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2376

An Act to repeal sections 68.057 and 536.031, RSMo, and to enact in lieu thereof five new sections relating to construction regulation.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 2376** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 2376**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2376

An Act to repeal section 227.107, RSMo, and to enact in lieu thereof three new sections relating to construction regulation.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 2376** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2376, Page 2, Section 67.5050, Line 14 of said page, by inserting immediately after “3.” the following: “**The political subdivision shall publicly disclose at a regular meeting its intent to utilize the construction management at-risk method and its selection criteria at least one week prior to publishing the request for qualifications.**”; and

Further amend said bill, page 11, section 67.5060, line 1 of said page, by inserting immediately after “4.” the following: “**The political subdivision shall publicly disclose at a regular meeting its intent to utilize the design-build method and its project design criteria at least one week prior to publishing the request for proposals.**”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 2376**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 2376** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HB 1568** and has taken up and passed **HB 1568**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HB 1477** and has taken up and passed **SS** for **HCS** for **HB 1477**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 1976** and has taken up and passed **SCS** for **HCS** for **HB 1976**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 1583** and has taken up and passed **SCS** for **HCS** for **HB 1583**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HBs 1646, 2132 and 1621** and has taken up and passed **SCS** for **HCS** for **HBs 1646, 2132 and 1621**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **HB 1733** and has taken up and passed **SS** for **HB 1733**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 833**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 627** with **HA 1, HA 2, HA 3, HA 1 to HA 4, HA 4** as amended, **HA 5, HA 6**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 799**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 997**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 735**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 861**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 986**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 997**, as amended. Representatives: Cookson, Dohrman, Lichtenegger, Kendrick, and Arthur.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 861**, as amended. Representatives: McCaherty, Hough, Ruth, Rizzo, and LaFaver.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 833**, as amended. Representatives: Fitzwater (49), McGaugh, Hill, LaFaver, and Otto.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 799**, as amended. Representatives: McCaherty, Fraker, Swan, Rizzo, and Nichols.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 735**, as amended. Representatives: Cornejo, McGaugh, Haahr, Colona, and Mitten.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 986**, as amended. Representatives: Wiemann, Johnson, Ross, Conway (10), and Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 627**, as amended. Representatives: English, Solon, Frederick, Dunn, and Mims.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 1002**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 578**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 578**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SBs 865 & 866**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SBs 865 & 866**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 700**, as amended, and has taken up and passed **CCS** for **SB 700**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 996**, entitled:

An Act to repeal sections 160.415, 161.216, 162.720, and 163.031, RSMo, and to enact in lieu thereof four new sections relating to elementary and secondary education, with a delayed effective date for a certain section and an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 996, Page 8, Section 163.031, Line 99, by inserting after all of said section and line the following:

“167.266. 1. Beginning with the 2016-17 school year, the board of education of a school district or a charter school that is a local educational agency may establish an academic and career counseling program in cooperation with parents and the local community that is in the best interest of and meets the needs of students in the community. School districts and local educational agencies may use the Missouri comprehensive guidance and counseling program as a resource for the development of a district’s or local educational agency’s program. The department of elementary and secondary education shall develop a process for recognition of a school district’s academic and career counseling program established in cooperation with parents and the local community no later than January 1, 2017.

2. The state board of education shall promulgate rules and regulations for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

167.903. 1. Each student prior to his or her ninth grade year at a public school, including a charter school, may develop with help from the school’s guidance counselors a personal plan of study, which shall be reviewed regularly, as needed by school personnel and the student’s parent or guardian and updated based upon the needs of the student. Each plan shall present a sequence of courses and experiences that conclude with the student reaching his or her postsecondary goals, with implementation of the plan of study transferring to the program of postsecondary education or training upon the student’s high school graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district or charter school;

(2) Career or postsecondary goals;

(3) Coursework or program of study related to career and postsecondary goals, which shall include, if relevant, opportunities that the district or school may not directly offer;

(4) Grade-appropriate and career-related experiences, as outlined in the grade-level expectations of the Missouri comprehensive guidance program; and

(5) Student assessments, interest inventories, or academic results needed to develop, review, and revise the personal plan of study, which shall include, if relevant, assessments, inventories, or academic results that the school district or charter school may not offer.

2. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student’s IEP committee. For purposes of this subsection, “IEP” means individualized education program.

167.905. 1. By July 1, 2018, each school district shall develop a policy and implement a measurable system for identifying students in their ninth grade year, or students who transfer into the school subsequent to their ninth grade year, who are at risk of not being ready for college-level work or for entry-level career positions. Districts shall include, but are not limited to, the following sources of information:

- (1) A student's performance on the Missouri assessment program test in eighth grade in English language arts and mathematics;**
- (2) A student's comparable statewide assessment performance if such student transferred from another state;**
- (3) The district's overall reported remediation rate under section 173.750; and**
- (4) A student's attendance rate.**

2. The district policy shall require academic and career counseling to take place prior to graduation so that the school may attempt to provide sufficient opportunities to the student to graduate college-ready or career-ready and on time.

3. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

- (a) Upon the basis of college credit;
- (b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

- (a) Recommendation of a state-approved baccalaureate-level teacher preparation program;
- (b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and
- (c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; [or]

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, or special education. For certification in the area of elementary education, ninety contact hours in the classroom shall be required, of which at least thirty shall be in an elementary classroom. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program; **or**

(6) By the state board, under rules and regulations prescribed by it, which shall issue an initial visiting scholars certificate at the discretion of the board, based on the following criteria:

(a) Verification from the hiring school district that the applicant will be employed as part of a business-education partnership initiative designed to build career pathways systems for students in a grade or grades not lower than the ninth grade for which the applicant's academic degree or professional experience qualifies him or her;

(b) Appropriate and relevant bachelor's degree or higher, occupational license, or industry-recognized credential;

(c) Completion of the application for a one-year visiting scholars certificate; and

(d) Completion of a background check as prescribed under section 168.133.

The initial visiting scholars certificate shall certify the holder of such certificate to teach for one year. An applicant shall be eligible to renew an initial visiting scholars certificate a maximum of two times, based upon the completion of the requirements listed under paragraphs (a), (b), and (d) of this subdivision; completion of professional development required by the school district and school; and

attainment of a satisfactory performance-based teacher evaluation.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program.

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system

of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

173.750. 1. By July 1, 1995, the coordinating board for higher education, within existing resources provided to the department of higher education and by rule and regulation, shall have established and implemented a procedure for annually reporting the performance of graduates of public high schools in the state during the student's initial year in the public colleges and universities of the state. The purpose of such reports shall be to assist in determining how high schools are preparing students for successful college and university performance. The report produced pursuant to this subsection shall annually be furnished to the state board of education for reporting pursuant to subsection 4 of section 161.610 and shall not be used for any other purpose **until such time that a standard process and consistent, specific criteria for determining a student's need for remedial coursework is agreed upon by the coordinating board for higher education, higher education institutions, and the state board of education.**

2. The procedures shall be designed so that the reporting is made by the name of each high school in the state, with individual student data to be grouped according to the high school from which the students graduated. The data in the reports shall be disaggregated by race and sex. The procedures shall not be designed so that the reporting contains the name of any student. No grade point average shall be disclosed under subsection 3 of this section in any case where three or fewer students from a particular high school attend a particular college or university.

3. The data reported shall include grade point averages after the initial college year, calculated on, or adjusted to, a four point grade scale; the percentage of students returning to college after the first and second half of the initial college year, or after each trimester of the initial college year; the percentage of students taking noncollege level classes in basic academic courses during the first college year, or remedial courses in basic academic subjects of English, mathematics, or reading; and other such data as determined by rule and regulation of the coordinating board for higher education.

4. The department of elementary and secondary education shall conduct a review of its policies and procedures relating to remedial education in light of the best practices in remediation identified as required by subdivision (6) of subsection 2 of section 173.005 to ensure that school districts are informed about best practices to reduce the need for remediation. The department shall present its results to the joint committee on education by October 31, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 996, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) “Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient

duration, to make sustainable changes in families that include:

- (a) Interactive literacy activities between parents and their children;
 - (b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;
 - (c) Parent literacy training that leads to high school completion and economic self sufficiency; and
 - (d) An age-appropriate education to prepare children of all ages for success in school;
- (4) “Graduation rate”, the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;
- (5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;
- (6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;
- (7) “Public school” includes all elementary and high schools operated at public expense;
- (8) “School board”, the board of education having general control of the property and affairs of any school district;
- (9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. **In the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required with no minimum number of school days required.** A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment aligned with the student’s career academic plan for a total of [one thousand forty-four] **the required number of hours as provided in this subdivision;**
- (10) “Secretary”, the secretary of the board of a school district;
- (11) “Seven-director district”, any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;
- (12) “Taxpayer”, any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;
- (13) “Town”, any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

(14) “Urban school district”, any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.041. 1. The “minimum school day” consists of three hours for schools with a five-day school week or four hours for schools with a four-day school week in which the pupils are under the guidance and direction of teachers in the teaching process. A “school month” consists of four weeks of five days each for schools with a five-day school week or four weeks of four days each for schools with a four-day school week. **In the school year 2017-18 and subsequent years, no minimum number of school days shall be required, and each school district shall define, for itself, the term “school day” or “minimum school day”.** The “school year” commences on the first day of July and ends on the thirtieth day of June following.

2. Notwithstanding the provisions of subsection 1 of this section, the commissioner of education is authorized to reduce the required number of hours [and] or days in which the pupils are under the guidance and direction of teachers in the teaching process if:

(1) There is damage to or destruction of a public school facility which requires the dual utilization of another school facility; or

(2) Flooding or other inclement weather as defined in subsection 1 of section 171.033 prevents students from attending the public school facility.

Such reduction shall not extend beyond two calendar years in duration.”; and

Further amend said bill, Page 8, Section 163.031, Line 99, by inserting immediately after said line the following:

“171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date, **days of planned attendance**, and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. **In the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required for the school term with no minimum number of school days.** In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033. **In the school year 2017-18 and subsequent years, such calendar shall include thirty-six make-up hours for possible loss of attendance due to inclement weather, as defined under subsection 1 of section 171.033, with no minimum number of make-up days.**

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. [No school day for schools with a five-day school week shall be longer than seven hours except for vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, and any school that adopts a four-day school week in accordance with section 171.029.] **No cap on the number of hours in a school day shall be imposed on school districts.**

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays. **Notwithstanding the above, in the school year 2017-18 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one thousand forty-four hours for the school year.**

3. In the 2009-10 school year and **all** subsequent years **through the 2016-17 school year**, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.

4. The commissioner of education may provide, for any school district [in which schools are in session for twelve months of each calendar year] that cannot meet the minimum school calendar requirement of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week and one thousand forty-four hours of actual pupil attendance **or, in the school year 2017-18 and subsequent years, one thousand forty-four hours of actual pupil attendance**, upon request, a waiver to be excused from such requirement. This waiver shall be requested from the commissioner of education and may be granted if the school was closed due to circumstances beyond school district control, including inclement weather, flooding or fire."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 996, Page 8,

Section 163.031, Line 99, by inserting after all of said section and line the following:

“167.225. 1. As used in this section, the following terms mean:

(1) [“Blind persons”, individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity] **“Assessment”, the National Reading Media Assessment or another research-based assessment or series of research-based assessments authorized under the Individuals with Disabilities Education Act that determines a student’s reading and writing skills, needs, and appropriate reading and writing media and addresses the student’s academic and functional strengths, deficits, as well as the student’s current and future educational needs ;**

(2) “Braille”, the system of reading and writing through touch [commonly known as standard English Braille];

(3) “Student”, any student who [is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142] **is eligible for special education services under the Individuals with Disabilities Education Act and who:**

(a) Has an impairment in vision that, even with correction, adversely affects a child’s educational performance;

(b) Has a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity or field.

2. All students [may] **shall** receive instruction in Braille reading and writing as part of their individualized education plan **unless, as a result of an assessment, instruction in Braille or the use of Braille is determined not appropriate for the student.** No student shall be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Instruction in Braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. The student’s individualized education plan shall specify:

(1) How Braille will be implemented as the primary mode for learning through integration with normal classroom activities. If Braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which Braille instruction will commence;

(3) The level of competency in Braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing Braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963, parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have the right to:

(1) An independent evaluation at public expense for any agency evaluation, including the assessment established under subdivision (1) of subsection 1 of section 167.225;

(2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams determination of the need for Braille instruction;

(3) File a due process complaint with the department of elementary and secondary education concerning the proposed action of the agency regarding provision of Braille instruction or any other matter related to the provision of a free appropriate public education to the student which will be forwarded to the Administrative Hearing Commission for an impartial hearing; and

(4) A resolution meeting convened by the school with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process complaint to discuss the due process complaint and the facts that form the basis of the complaint so that the school and parent have the opportunity to resolve the dispute. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 996, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or any city within such county may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city that imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund” and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund that are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized under section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions under sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required under sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the

director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided under section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided under sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.

10. Notwithstanding any other provision of law, any tax authorized under the provisions of this section shall be submitted to the voters of the taxing jurisdiction for retention or repeal every five years using the same procedure by which the imposition of the tax was voted. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are in favor of retention, the tax shall continue in effect. If a majority of the votes cast on the proposal by the qualified voters of the taxing jurisdiction voting thereon are not in favor of retention, the tax shall be repealed and that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 711**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1577** and has taken up and passed **SCS** for **HB 1577**.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 735**, as amended: Senators Dixon, Pearce, Silvey, Schupp and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 997**, as amended: Senators Pearce, Emery, Romine, Chappelle-Nadal and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 627**, as amended: Senators Nasheed, Schupp, Pearce, Romine and Riddle.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 833**, as amended: Senators Nasheed, Holsman, Cunningham, Wallingford and Silvey.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 986**, as amended: Senators Brown, Schaaf, Wieland, Holsman and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee

from the House on **HCS** for **SCS** for **SB 861**, as amended: Senators Wieland, Munzlinger, Silvey, Keaveny and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 799**, as amended: Senators Kraus, Emery, Wallingford, Schupp and Walsh.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 2218, regarding Haley Tarvin, Jerseyville, Illinois, which was adopted.

Senator Romine offered Senate Resolution No. 2219, regarding Jo Johnston, Sainte Genevieve, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Physician of the Day, Dr. Don Potts, Independence.

Senator Schaefer introduced to the Senate, Jack Bauer and his mother, Susie, Hartsburg.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 11, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566

HCS for HJR 98

HCS for HB 1605

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine

(In Fiscal Oversight)

SCS for SBs 857 & 712-Romine

(In Fiscal Oversight)

SS for SCS for SB 788-Schatz

(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown

SB 1076-Parson, with SCS

SB 795-Wallingford, with SCS

HOUSE BILLS ON THIRD READING

HB 1855-Allen (Schaaf) (In Fiscal Oversight)

HCS for HBs 1589 & 2307, with SCS

HCS for HBs 1366 & 1878, with SCS

(Emery) (In Fiscal Oversight)

(Schaefer) (In Fiscal Oversight)

HCS for HB 1765 (Dixon)

HCS for HB 1451, with SCS (Pearce)

HB 1585-Hill

(In Fiscal Oversight)

HB 1620-Kelley (Schmitt)

HB 1716-Lichtenegger, with SCS

(Munzlinger) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)

SB 775-Schaefer

SB 580-Schaaf, with SCS & SA 2 (pending)

SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SB 596-Kraus, with SCS

SBs 789 & 595-Wasson, with SCS

SB 622-Romine, with SCS

SB 792-Richard

SB 644-Onder, with SCS

SB 793-Richard

SCS for SBs 662 & 587-Dixon

SB 798-Kraus, with SCS

SB 680-Emery

SB 802-Sater

SB 686-Wallingford, with SCS

SB 805-Onder, with SCS

SB 706-Dixon

SB 806-Onder, with SCS

SB 719-Emery, with SCS

SB 812-Keaveny

SB 733-Dixon

SB 816-Wieland, et al

SB 734-Dixon

SB 825-Munzlinger, with SA 1 (pending)

SB 771-Onder

SB 830-Wasson, with SCS

SB 772-Onder, with SCS

SB 848-Emery, with SCS

SB 774-Schmitt

SBs 851 & 694-Brown, with SCS
 SB 853-Brown
 SB 858-Romine, with SCS & SS for SCS
 (pending)
 SB 868-Wasson
 SB 871-Wallingford
 SB 883-Riddle
 SB 894-Munzlinger, with SS (pending)
 SB 896-Hegeman
 SB 898-Cunningham
 SB 908-Sater, with SCS
 SB 916-Schaefer
 SB 920-Schmitt and Kraus
 SB 951-Wasson, with SA 1 (pending)
 SB 964-Wallingford, with SCS (pending)
 SB 966-Schaaf
 SB 972-Silvey
 SB 980-Keaveny, with SCS, SS for SCS,
 SA 1 & SA 3 to SA 1 (pending)
 SB 995-Riddle
 SB 1003-Onder
 SB 1004-Onder

SB 1005-Walsh
 SBs 1010, 958 & 878-Curls, with SCS
 SB 1012-Dixon
 SB 1014-Dixon
 SB 1026-Schatz, with SCS
 SB 1028-Silvey, et al, with SCS
 SB 1033-Pearce
 SB 1066-Curls
 SB 1074-Schmitt, with SCS
 SB 1075-Wallingford
 SB 1085-Pearce
 SB 1091-Riddle
 SB 1094-Kehoe, with SCS
 SB 1096-Dixon and Keaveny, with SS
 (pending)
 SB 1117-Wasson, with SCS
 SB 1120-Hegeman, et al
 SB 1131-Sifton
 SB 1144-Brown
 SJR 23-Sater, with SS (pending)
 SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)
 HB 1435-Koenig (Kraus)
 HB 1452-Hoskins, with SCS (Pearce)
 HCS for HB 1463 (Kraus)
 HCS for HB 1464, with SCS (Brown)
 HB 1472-Dugger, with SS & SA 4 (pending)
 (Dixon)
 HB 1478-Entlicher, with SCS (Pearce)
 HB 1479-Entlicher (Romine)
 HB 1534-Flanigan, with SCS (Schaefer)
 HCS for HB 1561, with SCS (Schatz)
 HB 1575-Rowden, with SCA 1 (Munzlinger)
 HB 1588-Franklin, with SCS (Parson)
 HB 1619-McCaherty (Dixon)
 HB 1643-Hicks (Brown)

HCS for HB 1649, with SCS (Parson)
 HCS for HB 1658 (Onder)
 HCS for HB 1675, with SCS (Munzlinger)
 HB 1678-Solon, with SCS (Pearce)
 HCS for HB 1695, with SCS (Wasson)
 HCS for HB 1717, with SS (pending)
 (Wallingford)
 HCS for HB 1718 (Romine)
 HCS for HB 1729 (Munzlinger)
 HB 1745-Brattin, with SCS (Schatz)
 HCS for HB 1759, with SCS (Dixon)
 HCS for HB 1776 (Romine)
 HCS for HBs 1780 & 1420 (Pearce)
 HB 1786-Pike, with SCS (Pearce)
 HB 1795-Haefner, with SCS (Sater)

HCS for HB 1804, with SCS, SS for SCS,
SA 3 & SSA 1 for SA 3 (pending)
(Emery)
HCS for HB 1850 (Wasson)
HB 1892-Rehder (Schatz)
HCS for HB 1898 (Emery)
HCS for HB 1904, with SCS (Wallingford)
HCS for HB 1912, with SCS & SS for SCS
(pending) (Schatz)
HCS for HB 1930 (Riddle)
HCS for HB 2038 (Munzlinger)
HB 2104-Alferman, with SCS (Schmitt)
HB 2111-Eggleston (Sater)
HCS for HB 2150 (Wieland)
HB 2166-Alferman, with SCS, SS#2 for
SCS, SA 1 & SSA 1 for SA 1 (pending)
(Onder)
HCS for HB 2187, with SCS (pending)
(Cunningham)
HCS for HB 2202, with SCS (Dixon)

HB 2226-Barnes (Silvey)
HB 2230-Ross (Schatz)
HCS for HBs 2234 & 1985 (Pearce)
HB 2257-Jones, with SCS (Wieland)
HCS for HB 2332, with SCS, SS for SCS,
SA 1 & point of order (pending)
(Dixon)
SS for SCS for HCS for HB 2380-Schatz
(In Fiscal Oversight)
HCS for HB 2397 (Cunningham)
HCS for HB 2402, with SCS & SA 1
(pending) (Pearce)
HB 2429-Dohrman, with SCS (Parson)
HCS for HB 2445 (Libla)
HCS for HB 2496 (Hegeman)
HB 2590-Plocher, with SCS (Keaveny)
HCS for HB 2689, with SS, SA 1 & SSA 1
for SA 1 (pending) (Silvey)
SS for HJR 53-Dugger (Kraus)
HJR 58-Brown (57) (Romine)

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)
HB 1539-Vescovo (Wieland)
HB 1538-Vescovo (Wieland)
HB 2183-Roeber (Curls)

HB 2480-Justus (Sater)
HB 1473-Dugger, with SCS (Wasson)
HB 1388-Roeber (Dixon)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 688 & 854-Romine, with HCS,
as amended

SB 932-Cunningham, with HCS, as amended
SCS for SB 996-Pearce, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS
(Senate adopted CCR#2 and passed
CCS#2)

SB 607-Sater, with HCS, as amended

SS for SB 608-Sater, with HCS, as amended

SS for SB 621-Romine, with HCS, as
amended

SB 625-Walsh, with HCS, as amended

SB 627-Nasheed, with HA 1, HA 2, HA 3,
HA 4, as amended, HA 5 & HA 6

SB 635-Hegeman, with HCS, as amended

SCS for SB 638-Riddle and Silvey, with HA 1,
HA 2, HA 3, HA 4, HA 5, as amended,
HA 6, HA 7, HA 8, HA 9 & HA 10

SB 639-Riddle, with HCS, as amended

SB 640-Schatz, with HCS, as amended

SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9

SB 656-Munzlinger, with HCS, as amended

SB 677-Sater, with HCS, as amended

SCS for SB 703-Munzlinger, with HCS, as
amended

SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR & passed
CCS)

SB 735-Dixon, with HCS, as amended

SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended

SS for SB 786-Kraus, with HCS, as amended

SS for SB 799-Kraus, with HCS, as amended

SCS for SB 823-Kraus, with HCS, as
amended

SB 833-Nasheed, with HCS, as amended

SB 852-Brown, with HA 1, HA 2, as
amended & HA 3

SCS for SB 861-Wieland, with HCS, as
amended

SB 864-Sater, with HCS, as amended

SB 867-Sater, with HCS, as amended

SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 & HA 6,
as amended

SCS for SB 973-Wasson, with HCS, as
amended

SS for SCS for SB 986-Brown, with HCS,
as amended

SB 988-Kraus, with HA 1, HA 2, HA 3, HA 4,
as amended & HA 5

SB 994-Munzlinger, with HCS, as amended

SB 997-Pearce, with HCS, as amended

HCS for HB 1584, with SCS, as amended
(Schmitt)

Requests to Recede or Grant Conference

HB 1870-Hoskins, with SAs 1, 3, 4 & 5
(Pearce) (Senate requests House take
up & pass the bill)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger

SCR 68-Schupp
SR 2062-Pearce
HCS for HCR 57 (Schaefer)
HCR 61-Engler (Dixon)
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 11, 2016

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Opinion, and the just maintenance of it, shall never be a crime in my view; nor bring injury on the individual.” (Thomas Jefferson)

Gracious God, we pray that Your love will dominate us in such a way that it will be expressed in our opinions and that it shall be a witness of our love of You. We pray that our lives molded by You will express itself in our character and will never bring us to shame by what we have done here and at home. O Lord we humbly pray abide with us and sustain us with Your grace and love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV, St. Louis Public Radio, Missourinet and Springfield News-Leader were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

HOUSE BILLS ON THIRD READING

Senator Wallingford moved that **HCS** for **HB 1717**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1717** was again taken up.

At the request of Senator Emery, **SS** for **HCS** for **HB 1717** was withdrawn.

Senator Hegeman offered **SS No. 2** for **HCS** for **HB 1717**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1717

An Act to repeal sections 256.437, 256.438, 256.439, 256.440, and 256.443, RSMo, and to enact in lieu thereof seven new sections relating to water systems, with an emergency clause for a certain section.

Senator Schmitt assumed the Chair.

Senator Hegeman moved that **SS No. 2** for **HCS** for **HB 1717** be adopted.

Senator Emery offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 1717, Page 5, Section 640.136, Line 22, by striking all of said line and inserting in lieu thereof the following: “**return the fluoridation of its water supply to its previous level until proper**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

SS No. 2 for **HCS** for **HB 1717** was again taken up.

Senator Hegeman moved that **SS No. 2** for **HCS** for **HB 1717**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS No. 2** for **HCS** for **HB 1717**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Keaveny	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Kraus Schaaf—2

Absent—Senators

Holsman Kehoe Richard—3

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

HCS for HCR 57, introduced by Senator Schaefer, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Was taken up.

Senator Schaefer moved that **HCS for HCR 57** be read the 3rd time and finally passed.

At the request of Senator Schaefer, the above motion was withdrawn.

Senator Brown moved that **HCR 69** be taken up for adoption, which motion prevailed.

Senator Brown moved that **HCR 69** be adopted.

At the request of Senator Brown, the above motion was withdrawn.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS for SCS for HCS for HB 2380**; **HCS for HB 1451**, with **SCS**; and **HB 1716**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

HB 1435, introduced by Representative Koenig, entitled:

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales

tax refund claims.

Was called from the Informal Calendar and taken up by Senator Kraus.

President Kinder assumed the Chair.

At the request of Senator Kraus, **HB 1435** was placed on the Informal Calendar.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 2380** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 2380** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 1765** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HB 2166**, with **SCS**, **SS No. 2** for **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Schatz, **SA 1** was withdrawn, rendering **SSA 1** for **SA 1** moot.

Senator Schatz offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Line 19, by striking “fifty” and inserting in lieu thereof the following: **“forty-five”**.

Senator Schatz moved that the above amendment be adopted.

Senator Schatz offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 19, Section 105.473, Lines 19-21 of said page, by striking all of said lines and inserting in lieu thereof the following: **“two hundred eighty dollars on meals on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children in any calendar week. For purposes of this subsection,”**.

Senator Schatz moved that the above substitute amendment be adopted.

Senator Schatz offered **SA 1** to **SSA 1** for **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Line 1 of said amendment, by striking “19-21” and inserting in lieu thereof the following: “16-23”; and further amend lines 3-6 of said amendment, by striking all of said lines and inserting in lieu thereof the following: thereof the following: **children**.

(2) Notwithstanding the limitation in subdivision (1) of this subsection, any lobbyist, lobbyist principal, or person acting on behalf of a lobbyist or lobbyist principal, may provide a meal on behalf of a public official of the state, or such public official’s staff, spouse, or dependent children, on any calendar day, provided such meal does not exceed forty dollars. For purposes of this subsection, the term “meal” shall include any occasion at which any type of food or beverage is consumed.”. and further amend said section, by renumbering the remaining subdivisions accordingly.”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SSA 1** for **SA 2**, as amended, be adopted, which motion prevailed.

Senator Pearce offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“130.074. 1. In addition to the limitations imposed under section 130.031, the amount of contributions made by or accepted from any person other than the candidate in any one election shall not exceed the following:

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, five thousand dollars;

(2) To elect an individual to the office of state senator, two thousand five hundred dollars;

(3) To elect an individual to the office of state representative, one thousand two hundred fifty dollars.

2. For purposes of this subsection, “base year amount” shall be the contribution limits prescribed in this section on January 1, 2017. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five-dollar amount, for all years since January 1, 2017.

3. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 3** is out of order as it goes beyond the scope and title of the bill. The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Pearce offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Campaign committee”, a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual

who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(6) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) "Closing date", the date through which a statement or report is required to be complete;

(9) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term “committee” includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) “Connected organization”, any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(11) “Contribution”, a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations

of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the

members, officers, directors, employees or security holders of the connected organization;

(12) “County”, any one of the several counties of this state or the city of St. Louis;

(13) “Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) “Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) “Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. “Expenditure” includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) “Expenditure” does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or

defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(19) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(22) “Political action committee”, a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) “Political party committee”, a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum

petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) “Cash”, currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) “Check”, a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) “Closing date”, the date through which a statement or report is required to be complete;

(7) “Committee”, a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) “Committee”, does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the

action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot

measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) “Contribution” does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) “County”, any one of the several counties of this state or the city of St. Louis;

(14) **“Covered communication”:**

(a) Paid advertisements broadcast over radio, television, cable, or satellite in this state;

(b) Paid placement of content on the internet or other electronic communication network targeted to voters in this state;

(c) Paid advertisements published in a periodical or on a billboard in this state;

(d) Paid telephone communications to five hundred or more households in this state;

(e) Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and

(f) Printed materials exceeding two thousand copies distributed in this state;

(15) “Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(16) “Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

[(15)] (17) “Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party’s candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(18) “Electioneering activities”:

(a) Any covered communication that influences or attempts to influence the action of voters for

or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and

(b) Any covered communication made within forty-five days of a primary election or ninety days of a general election that:

a. Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or

b. Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat;

[(16)] **(19)** “Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate’s own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. “Expenditure” includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) “Expenditure” does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

[(17)] **(20)** "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

[(18)] **(21)** "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

[(19)] **(22)** "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

[(20)] **(23)** "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

[(21)] **(24)** "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

[(22)] **(25)** "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

[(23)] **(26)** "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

[(24)] **(27)** "Political party", a political party which has the right under law to have the names of its

candidates listed on the ballot in a general election;

[(25)] **(28)** “Political party committee”, a state, district, county, city, or area committee of a political party, as defined in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

[(26)] **(29)** “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

[(27)] **(30)** “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

[(28)] **(31)** “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.

130.062. 1. By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the ethics commission:

(1) All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;

(2) All contributions, including in-kind contributions, to a committee in the previous calendar year;

(3) The percentage of their total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;

(4) The percentage of their total expenditures made from the previous calendar year for contributions including in-kind contributions to a committee during the previous calendar year;

(5) The name and address of each person or entity making any single donation over one thousand dollars, and each person or entity who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year; and

(6) The date and amount of each donation over one thousand dollars, or of any donation from a person who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record which the ethics commission shall subsequently make available to the public.

2. Any organization required to file disclosure reports under subsection 1 of this section shall make such disclosures electronically.

3. (1) Any covered organization that:

(a) Makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the

ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate such expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information; or

(b) Makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the ethics commission within forty-eight hours of making such contribution. The report shall specifically state the contribution amount and the committee to which the contribution was made.

(2) Every electronic disclosure report required under this subsection shall include the date and amount of each donation, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each donor who has donated over five thousand dollars to the covered organization in the previous twelve-month period.

(3) The ethics commission shall assess fees on the board of directors of a covered organization in the same manner as provided in section 105.963 for failure to file reports required by this section.

Section B. The repeal of section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, the repeal and reenactment of section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and the enactment of section 130.062 of this act shall become effective January 1, 2017.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 4** is out of order as it goes beyond the scope and title of the bill. The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Riddle assumed the Chair.

Senator Silvey offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 20, Section 105.473, Line 7, by inserting after all of said line the following:

“Section 1. Any organization that is exempt from taxation under 501(c)(4) of the Internal Revenue Code of 1986, as amended, and engages in political activities shall have a registered lobbyist, as that term is defined in section 105.470. Such lobbyist shall file reports with the Missouri ethics commission, as required under section 105.473, regarding expenditures, as defined in section 105.470 and including but not limited to expenditures made for advertising on television, internet, radio, and outbound phone calls, made on behalf of the principal of such organization.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

Senator Holsman requested a roll call vote be taken on the adoption of **SA 5**. He was joined in his request by Senators: Chappelle-Nadal, Pearce, Schaaf and Silvey.

Senator Chappelle-Nadal offered **SA 1 to SA 5**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5

Amend Senate Amendment No. 5 to Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 2166, Page 1, Section 1, Line 12, by inserting after all of said line the following:

“Section B. Because of the necessity of ensuring ethical behavior, section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 1 of this act shall be in full force and effect upon its passage and approval.”; and”.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Onder, **HB 2166**, with **SCS, SS No. 2** for **SCS, SA 5** and **SA 1 to SA 5** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1474** and has taken up and passed **SCS** for **HCS** for **HB 1474**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1, SA 3, SA 4** and **SA 5** to **HB 1870** and has taken up and passed **HB 1870**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 676**, entitled:

An Act to repeal sections 1.100, 50.622, 67.281, 192.300, 304.022, 307.175, 347.048, and 478.705, RSMo, and to enact in lieu thereof fourteen new sections relating to political subdivisions.

With House Amendment Nos 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 676, Pages 1-2, Section 1.100, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3 to 8, Sections 67.5300, 67.5305, 67.5310, 67.5315, and 67.5320, by removing all of said sections and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 676, Page 12, Section 347.048, Line 18, by

inserting after all of said section and line the following:

“473.775. 1. Any full-time staff of any public administrator’s office employed on or after January 1, 2001, who is not an employee of the county for purposes of hiring, retirement, benefits and other laws applicable to county employees shall be deemed an employee after January 1, 2001. Any full-time staff of the office of the public administrator for the city of St. Louis on or after January 1, 2001, shall be considered an employee of the city of St. Louis for purposes of hiring, retirement, benefits and other laws applicable to the city of St. Louis employees.

2. Each public administrator [with fifty or more cases may] **shall** be provided with one full-time staff [paid for by the county or for St. Louis City, paid for by the city of St. Louis] **for each increment of fifty cases. The provisions of this subsection are subject to appropriation and if no appropriation is made, then this subsection shall be void.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 676, Page 8, Section 84.514, Line 8, by inserting immediately after all of said line the following:

“94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

[(c)] **(d)** Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

[(d)] **(e)** Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

[(e)] **(f)** Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or

special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures

of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 676, Page 2, Section 50.622, Line 20, by deleting the number “**2026**” and inserting in lieu thereof the number “**2027**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 676, Page 3, Section 67.281, Line 17, by inserting after all of said section and line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or

welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 831**, entitled:

An Act to repeal sections 192.945, 324.001, 334.037, 334.104, 334.735, 335.203, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 336.020, 376.1237, and 630.175, RSMo, and to enact in lieu thereof thirty-eight new sections relating to the practice of professional licensees, with a delayed effective date.

With House Amendment Nos. 1, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 831, Page 16, Section 324.004, Line 237, by inserting immediately after all of said section and line the following:

“327.272. 1. A professional land surveyor shall include any person who practices in Missouri as a professional land surveyor who uses the title of “surveyor” alone or in combination with any other word or words including, but not limited to “registered”, “professional” or “land” indicating or implying that the person is or holds himself or herself out to be a professional land surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or implies that the person is a professional land surveyor or is willing or able to practice professional land surveying or who renders or offers to render, or holds himself or herself out as willing or able to render, or perform any service or work, the adequate performance of which involves the special knowledge and application of the principles of land surveying, mathematics, the related physical and applied sciences, and the relevant requirements of law, all of which

are acquired by education, training, experience and examination, that affect real property rights on, under or above the land and which service or work involves:

- (1) The determination, location, relocation, establishment, reestablishment, layout, or retracing of land boundaries and positions of the United States Public Land Survey System;
- (2) The monumentation of land boundaries, land boundary corners and corners of the United States Public Land Survey System;
- (3) The subdivision of land into smaller tracts and preparation of property descriptions;
- (4) The survey and location of rights-of-way and easements;
- (5) Creating, preparing, or modifying electronic or computerized data relative to the performance of the activities in subdivisions (1) to (4) of this subsection;
- (6) Consultation, investigation, design surveys, evaluation, planning, design and execution of surveys;
- (7) The preparation of any drawings showing the shape, location, dimensions or area of tracts of land;
- (8) Monumentation of geodetic control and the determination of their horizontal and vertical positions;
- (9) Establishment of state plane coordinates;
- (10) Topographic surveys and the determination of the horizontal and vertical location of any physical features on, under or above the land;
- (11) The preparation of plats, maps or other drawings showing elevations and the locations of improvements and the measurement and preparation of drawings showing existing improvements after construction;
- (12) Layout of proposed improvements;
- (13) The determination of azimuths by astronomic observations.

2. None of the specific duties listed in subdivisions (4) to (13) of subsection 1 of this section are exclusive to professional land surveyors unless they affect real property rights. For the purposes of this section, the term “real property rights” means a recordable interest in real estate as it affects the location of land boundary lines. The validity of any document prepared between August 27, 2014, and August 28, 2015, by a provider of utility or communications services purporting to affect real property rights shall remain valid and enforceable notwithstanding that any legal description contained therein was not prepared by a professional land surveyor.

3. Professional land surveyors shall be in responsible charge of all drawings, maps, surveys, and other work product that can affect the health, safety, and welfare of the public within their scope of practice.

4. Nothing in this section shall be construed to preclude the practice of architecture or professional engineering or professional landscape architecture as provided in sections 327.091, 327.181, and 327.600.

5. Nothing in this section shall be construed to preclude the practice of title insurance business or the business of title insurance as provided in chapter 381, or to preclude the practice of law or law business as governed by the Missouri supreme court and as provided in chapter 484.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 831, Page 45, Section 334.1233, Line 10, by inserting after all of said section and line the following:

“334.1500. As used in sections 334.1500 to 334.1539, the following terms mean:

(1) “Advanced emergency medical technician” or “AEMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(2) “Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state’s laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual’s license, such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual’s practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;

(3) “Certification”, the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;

(4) “Commission”, the national administrative body of which all states that have enacted the compact are members;

(5) “Emergency medical technician” or “EMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(6) “EMS”, emergency medical services;

(7) “Home state”, a member state where an individual is licensed to practice emergency medical services;

(8) “License”, the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;

(9) “Medical director”, a physician licensed in a member state who is accountable for the care delivered by EMS personnel;

(10) “Member state”, a state that has enacted this compact;

(11) “Paramedic”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(12) “Privilege to practice”, an individual’s authority to deliver emergency medical services in remote states as authorized under this compact;

(13) “Remote state”, a member state in which an individual is not licensed;

(14) “Restricted”, the outcome of an adverse action that limits a license or the privilege to practice;

(15) “Rule”, a written statement by the interstate commission promulgated under section 334.1530 of this compact that is of general applicability; implements, interprets, or prescribes a policy or

provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;

(16) “Scope of practice”, defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;

(17) “Significant investigatory information”:

(a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or

(b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond.

(18) “State”, any state, commonwealth, district, or territory of the United States;

(19) “State EMS authority”, the board, office, or other agency with the legislative mandate to license EMS personnel.

334.1503. 1. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

2. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

3. A home state’s license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

(1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;

(2) Has a mechanism in place for receiving and investigating complaints about individuals;

(3) Notifies the commission in compliance with the terms herein of any adverse action or significant investigatory information regarding an individual;

(4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 731 CFR 202, and submit documentation of such as promulgated in the rules of the commission; and

(5) Complies with the rules of the commission.

334.1506. 1. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 334.1503.

2. To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

(1) Be at least eighteen years of age;

(2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state recognized and licensed level with a scope of practice and authority between EMT and paramedic; and

(3) Practice under the supervision of a medical director.

3. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.

4. Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state's authority and laws. A remote state may, in accordance with due process and that state's laws, restrict, suspend, or revoke an individual's privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.

5. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

6. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

334.1509. An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

(1) The individual originates a patient transport in a home state and transports the patient to a remote state;

(2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;

(3) The individual enters a remote state to provide patient care or transport within that remote state;

(4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or

(5) Other conditions as determined by rules promulgated by the commission.

334.1512. Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

334.1515. 1. Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license

being sought as satisfying the minimum training and examination requirements for such licensure.

2. Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour or their spouses.

3. All individuals functioning with a privilege to practice under this section remain subject to the adverse actions provisions of section 334.1518.

334.1518. 1. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

2. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall investigate and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing

state EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency known as the interstate commission for EMS personnel practice.

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1530.

(4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or

confidential;

(g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;

(4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;

(6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

(7) Providing a mechanism for winding up the operations of the commission and the equitable

disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

(8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;

(9) The commission shall maintain its financial records in accordance with the bylaws; and

(10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

(1) The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

(5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;

(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, real, personal, or mixed; provided that at all times the commission shall strive to avoid any appearance of impropriety;

(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(9) To establish a budget and make expenditures;

(10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

334.1527. 1. The commission shall provide for the development and maintenance of a coordinated

database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;
- (2) Licensure data;
- (3) Significant investigatory information;
- (4) Adverse actions against an individual's license;
- (5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;
- (6) Nonconfidential information related to alternative program participation;
- (7) Any denial of application for licensure and the reasons for such denial; and
- (8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission; and

- (2) On the website of each member state EMS authority or the publication in which each state would otherwise publish proposed rules.

5. The notice of proposed rulemaking shall include:

- (1) The proposed time, date, and location of the meeting at which the rule will be considered and

voted upon;

(2) The text of the proposed rule or amendment and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person; and

(4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments which shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) At least twenty-five persons;

(2) A governmental subdivision or agency; or

(3) An association having at least twenty-five members.

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted

immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;**
- (2) Prevent a loss of commission or member state funds;**
- (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or**
- (4) Protect public health and safety.**

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1533. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(2) Providing remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by

the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior

to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1539. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 831, Page 1, In the Title, Line 5, by deleting the phrase “the practice of professional licensees” and inserting in lieu thereof the phrase “health care”; and

Further amend said bill, Page 63, Section 376.1237, Line 18, by inserting immediately after all of said section and line the following:

“407.780. 1. As used in this section, the following terms shall mean:

(1) “Children’s product”, a product including, but not limited to, a crib, toddler bed, bed, car seat, chair, high chair, booster chair, bath seat, gate or other enclosure for confining a child, play yard, stationary activity center, carrier, stroller, walker, swing, or toy or play equipment that is designed or intended for the care of or use by a child;

(2) “Commercial dealer”, any person who deals in children’s products or crib bumper pads or who otherwise by one’s occupation holds oneself out as having knowledge or skill relating to children’s products or crib bumper pads or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce children’s products or crib bumper pads;

(3) “Crib bumper pad”, a pad or pads of nonmesh material including, but not limited to, a roll of stuffed fabric that is designed for placement within a crib to cushion one or more of the crib’s inner sides adjacent to the crib mattress. It does not include mesh liners;

(4) “Distributor” or “wholesaler”, any person other than a manufacturer or retailer who sells or resells or otherwise places into the stream of commerce a children’s product or crib bumper pad;

(5) “Importer”, any person who brings into this country and places into the stream of commerce a children’s product or crib bumper pad;

(6) “Manufacturer”, any person who makes and places into the stream of commerce a children’s product or crib bumper pad;

(7) “Retailer”, any person other than a manufacturer, distributor, or wholesaler who sells, leases, or sublets children’s products or crib bumper pads.

2. No commercial dealer, manufacturer, importer, distributor, wholesaler, or retailer shall sell, lease, offer for sale, or offer for lease in the state any crib bumper pad as an accessory to a crib or as a separate item.

3. Any violation of the provisions of this section shall result in a penalty of not less than one hundred dollars nor more than five hundred dollars for each offense.”; and

Further amend said bill, Page 73, Section B, Line 5, by inserting immediately after all of said section and line the following:

“Section C. The enactment of section 407.780 of section A of this act shall become effective on January 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 831, Page 1, Section A, Line 8, by inserting immediately after all of said section and line the following:

“191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called “providers”, shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient’s health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient’s condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient’s health care records to the patient, the patient’s authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) Search and retrieval, in an amount not more than [twenty-two] **twenty-three** dollars and [eighty-two] **thirty-eight** cents plus copying in the amount of [fifty-three] **fifty-four** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty-one dollars and [thirty-six] **eighty-nine** cents, as adjusted annually pursuant to subsection 5 of this section; or

(b) The records shall be furnished electronically upon payment of the search, retrieval, and copying fees set under this section at the time of the request or one hundred **two** dollars **and forty-six cents** total, whichever is less, if such person:

a. Requests health records to be delivered electronically in a format of the health care provider’s choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year.

6. A health care provider may disclose a deceased patient's health care records or payment records to the executor or administrator of the deceased person's estate, or pursuant to a valid, unrevoked power of attorney for health care that specifically directs that the deceased person's health care records be released to the agent after death. If an executor, administrator, or agent has not been appointed, and the deceased prior to death did not specifically object to disclosure of his or her records in writing, a deceased patient's health care records shall be released upon written request of a person who is deemed as the personal representative of the deceased person under this subsection. Priority shall be given to the deceased patient's spouse and the records shall be released on the affidavit of the surviving spouse that he or she is the surviving spouse. If there is no surviving spouse, the health care records shall be released to the following persons:

(1) The acting trustee of a trust created by the deceased patient either alone or with the deceased patient's spouse;

(2) An adult child of the deceased patient on the affidavit of the adult child that he or she is the adult child of the deceased;

(3) A parent of the deceased patient on the affidavit of the parent that he or she is the parent of the deceased;

(4) An adult brother or sister of the deceased patient on the affidavit of the adult brother or sister that he or she is the adult brother or sister of the deceased;

(5) A guardian or conservator of the deceased patient at the time of the patient's death on the affidavit of the guardian or conservator that he or she is the guardian or conservator of the deceased;
or

(6) A guardian ad litem of the deceased's minor child based on the affidavit of the guardian that he or she is the guardian ad litem of the minor child of the deceased.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HCS for HB 2150, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to unclaimed life insurance benefits.

Was taken up by Senator Wieland.

On motion of Senator Wieland, **HCS for HB 2150** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 1904, with **SCS**, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

Was taken up by Senator Wallingford.

SCS for HCS for HB 1904, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1904**

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-one new sections relating to emergency communications service, with penalty provisions.

Was taken up.

Senator Wallingford moved **SS** for **SCS** for **HCS** for **HB 1904**, be adopted.

Senator Wallingford offered **SS** for **SCS** for **HCS** for **HB 1904**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1904

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency communications service, with penalty provisions.

Senator Wallingford moved that **SS** for **SCS** for **HCS** for **HB 1904** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 28, Section 190.450, Line 16, by inserting after “inhabitants” the following:

“, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, or any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat”; and

Further amend said bill, page 33, section 190.451, line 22, by inserting after “inhabitants” the following:

“, any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, or any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Wallingford, **HCS** for **HB 1904**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HCS for **HB 1675**, with **SCS**, entitled:

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

Was taken up by Senator Munzlinger.

SCS for **HCS** for **HB 1675**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1675

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HB 1675** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1675, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to county government.”; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.”; and

Further amend said bill, page 2, section 105.030, line 38, by inserting after all of said line the following:

“Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed

Senator Kehoe offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1675, Page 2, Section 105.030, Line 29, by inserting after all of said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reversioners, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property;

and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale;

(11) That portion of privately owned land subject to a railroad easement upon which a railroad right-of-way exists and a state, political subdivision, or qualified organization has assumed responsibility for as provided in Section 16 U.S.C. 1247(d)."

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf assumed the Chair.

At the request of Senator Wallingford, **HCS** for **HB 1675**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Kraus moved that **HB 1435** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Kraus offered **SS** for **HB 1435**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1435

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales tax refunds.

Senator Kraus moved that **SS** for **HB 1435** be adopted.

At the request of Senator Kraus, **HB 1435**, with **SS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 607**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 607

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 607, with House Amendment Nos. 1, 2, 3, 4 & 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 607, as amended;

2. That the Senate recede from its position on Senate Bill No. 607;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 607, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
 /s/ Gary Romine
 /s/ Dan Hegeman
 /s/ Jill Schupp
 /s/ Scott Sifton

FOR THE HOUSE:

/s/ Marsha Haefner
 /s/ Diane Franklin
 /s/ David Wood
 Tracy McCreery
 Michael Butler

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Curls Dixon—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS** for **HCS** for **SB 607**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 607**

An Act to repeal sections 208.152, 208.952, and 208.985, RSMo, and to enact in lieu thereof five new sections relating to public assistance programs.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Curls Dixon—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 635**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3, 5, and 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, 12, and 13, House Amendment No. 1 to House Amendment No. 14, and House Amendment No. 14 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 635, as amended;
2. That the Senate recede from its position on Senate Bill No. 635;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman
/s/ Dan Brown
/s/ Jay Wasson
/s/ Jill Schupp
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo
/s/ Sue Allen
/s/ Marsha Haefner
/s/ Jeremy LaFaver
/s/ Jon Carpenter

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Hegeman, **CCS** for **HCS** for **SB 635**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

An Act to repeal sections 167.638, 170.310, 174.335, 190.142, 190.241, 192.737, 192.2490, 192.2495, 197.315, 324.001, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 338.200, 376.1235, 376.1237, and 536.031, RSMo, and to enact in lieu thereof forty-seven new sections relating to health care, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

Emergency clause adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Walsh, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 625**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 625, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 625, as amended;
2. That the Senate recede from its position on Senate Bill No. 625;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 625, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gina Walsh
/s/ S. "Kiki" Curls
/s/ Doug Libla
/s/ Dave Schatz
/s/ Brian Munzlinger

FOR THE HOUSE:

/s/ Tommie Pierson
/s/ Glen Kolkmeier
Bart Korman
/s/ Kirk Mathews
/s/ Mike Colona

Senator Walsh moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Walsh, **CCS** for **HCS** for **SB 625**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

An Act to amend chapter 227, RSMo, by adding thereto five new sections relating to the designation of highways.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 867**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 867

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 867, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, House Amendment No. 1 to House Amendment No. 19, and House Amendment No. 19 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 867, as amended;
2. That the Senate recede from its position on Senate Bill No. 867;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
Eric Schmitt
/s/ Jeanie Riddle
/s/ Joseph P. Keaveny
/s/ S. “Kiki” Curls

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Caleb Jones
/s/ Caleb Rowden
/s/ Tracy McCreery
/s/ Michael Butler

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Emery	Kraus	Schaaf	Schaefer	Schmitt—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS** for **HCS** for **SB 867**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 867

An Act to repeal sections 66.620, 67.402, 99.845, 136.055, 137.016, 137.100, 137.115, 137.565, 182.802, 184.815, 190.335, 221.407, 233.180, 233.295, 304.190, 311.179, and 347.048, RSMo, and to enact in lieu thereof twenty new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Emery	Kraus	Schaaf	Schaefer	Schmitt—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that the Senate request the House grant further conference on **SCS** for **SB 650**, as amended, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **HCS** for **HB 2381** and has taken up and passed **SS** for **HCS** for **HB 2381**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1599** and has taken up and passed **SCS** for **HCS** for **HB 1599**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 1713** and has taken up and passed **SCS** for **HCS** for **HB 1713**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 1584**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 1584**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SBs 588, 603 & 942**, entitled:

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records, with a delayed effective date.

With House Amendment No. 2.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 588, 603 & 942, Page 1, Section 488.650, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“488.650. There shall be assessed as costs a surcharge in the amount of [one] **two** hundred **fifty**”; and

Further amend said bill, page and section, Line 3, by deleting the word “**when**” and inserting in lieu thereof the word “**if**”; and

Further amend said bill and page, Section 610.140, Line 5, by deleting the number “**10**” and inserting in lieu thereof the number “**12**”; and

Further amend said bill, page and section, Line 6, by deleting the word “**when**” and inserting in lieu thereof the word “**if**”; and

Further amend said bill and section, Page 2, Line 14, by deleting the number “**10**” and inserting in lieu thereof the number “**12**”; and

Further amend said bill, page and section, Lines 32 and 33, by deleting all of said lines and inserting in lieu thereof the following:

“(5) Any felony offense of assault; misdemeanor or felony offense of domestic assault; or felony offense of kidnapping;”; and

Further amend said bill, page and section, Line 36, by inserting immediately after the number “**389.653,**” the number “**455.085,**”; and

Further amend said bill, page and section, Line 39, by inserting immediately after the number “**569.072,**” the number “**569.100,**”; and

Further amend said bill, page, section, and line, by inserting immediately after the number “**570.025,**” the numbers “**570.030, 570.090, 570.100, 570.130, 570.180, 570.223, 570.224, 570.310,**”: and

Further amend said bill, page and section, Line 40, by inserting immediately after the number “**574.070,**” the number “**574.105,**”; and

Further amend said bill, page, section and line, by inserting immediately after the number “**574.130,**” the number “**575.040,**”; and

Further amend said bill, page and section, Lines 44 to 46, by deleting all of said lines and inserting in lieu thereof the following:

“(8) Any intoxication-related traffic or boating offense as defined in section 577.001, or any offense of operating an aircraft with an excessive blood alcohol content or while in an intoxicated condition;

(9) Any ordinance violation that is the substantial equivalent of any offense that is not eligible for expungement under this section; and

(10) Any violations of any state law or county or municipal ordinance regulating the”; and

Further amend said bill and section, Page 3, Lines 69 to 74, by deleting all of said lines and inserting in lieu thereof the following:

“municipality, the name of the municipality for each offense, **violation, or infraction; and**

(5) [The name of the agency that arrested the petitioner for each offense;

(6)] The case number and name of the court for each offense[; and

(7) Petitioner’s fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner].”; and

Further amend said bill and section, Page 4, Line 87, by deleting all of said line and inserting in lieu thereof the following:

“(1) It has been at least [twenty] **seven** years if the offense is a felony, or at least [ten] **three**”; and

Further amend said bill, page, and section, Line 102, by inserting brackets around the word “and”; and

Further amend said bill, page, and section, Line 103, by inserting immediately after the number “(5)” the following:

“The petitioner’s habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and

(6)”; and

Further amend said bill, page, and section, Lines 106-111, by deleting all of said lines and inserting in lieu thereof the following:

“A pleading by the petitioner that such petitioner meets the requirements of subdivisions (5) and (6) of this subsection shall create a rebuttable presumption that the expungement is warranted so long as the criteria contained in subdivisions (1) to (4) of this subsection are otherwise satisfied. The burden shall shift to the prosecuting attorney, circuit attorney, or municipal prosecuting attorney to rebut the presumption. A victim of an offense, violation, or infraction listed in the petition shall have an opportunity to be heard at any hearing held under this section, and the court may make a determination based solely on such victim’s testimony.”; and

Further amend said bill, page and section, Line 112, by deleting all of said line and inserting in lieu thereof the following:

“6. A petition to expunge records related to an arrest for an eligible offense, violation, or infraction may be made in accordance with the provisions of this section to a court of competent jurisdiction in the county where the petitioner was arrested no earlier than three years from the date of arrest; provided that, during such time, the petitioner has not been charged and the petitioner has not been found guilty of any misdemeanor or felony offense.

7. If the court determines [at the conclusion of the hearing] that such person meets all”; and

Further amend said bill and section, Page 5, Line 129, by deleting all of said line and inserting in lieu thereof the following:

“[7.] 8. The order shall not limit any of the petitioner’s rights that were restricted as a collateral”; and

Further amend said bill, page and section Line 140, by inserting immediately after the first occurrence of the word “offense” the following:

“, violation, or infraction”; and

Further amend said bill, page and section, Line 142, by deleting all of said line and inserting in lieu thereof the following:

“[8.] 9. Notwithstanding the provisions of subsection [7] **8** of this section to the contrary, a person”; and

Further amend said bill, page and section, Line 147, by inserting immediately after the number “313” the phrase **“or permit issued under chapter 571”**; and

Further amend said bill and section, Pages 5 and 6, Lines 153 to 158, by deleting all of said lines and

inserting in lieu thereof the following:

“12 U.S.C. Section 1829 and 12 U.S.C. Section 1785;

(5) Employment with any entity engaged in the business of insurance or any insurer for the purpose of complying with 18 U.S.C. Section 1033, 18 U.S.C. Section 1034, or other similar law which requires an employer engaged in the business of insurance to exclude applicants with certain criminal convictions from employment; or

(6) Employment with any employer that is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

An employer shall notify an applicant of the requirements under subdivisions (4) to (6) of this subsection. Notwithstanding any provision of law to the contrary, an expunged offense, violation, or infraction shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit; except that, an offense, violation, or infraction expunged under the provisions of this section may be grounds for automatic disqualification if the application is for employment under subdivisions (4) to (6) of this subsection.

[9]. 10. A person who has been granted an expungement of records pertaining to a misdemeanor or felony offense, an ordinance violation, or an infraction may answer “no” to an employer’s inquiry into whether the person has ever been convicted of a crime if, after the granting of the expungement, the person has no public record of a misdemeanor or felony offense, an ordinance violation, or an infraction. The person, however, shall answer such an inquiry affirmatively and disclose his or her criminal convictions, including any offense or violation expunged under this section or similar law, if the employer is required to exclude applicants with certain criminal convictions from employment due to federal or state law, including corresponding rules and regulations.

11. If the court determines that [such person] the petitioner has not met the criteria for”; and

Further amend said bill and section, Page 6, Line 164, by deleting all of said line and inserting in lieu thereof the following:

“[10.] 12. A person may be granted more than one expungement under this section provided”; and

Further amend said bill, page and section, Line 181, by deleting the number “**11.**” and inserting in lieu thereof the number “**13.**”; and

Further amend said bill, page and section, Lines 184 to 190, by deleting all of said lines and inserting in lieu thereof the following:

“information, and belief.”.”; and

Further amend said bill and section, Page 7, Line 191, by deleting the number “**13.**” and inserting in lieu thereof the number “**14.**”; and

Further amend said bill, page and section, Lines 193 to 215, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 7:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 1765** begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HJR 54**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

At the request of Senator Pearce, **HCS** for **HB 1451**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1716**, with **SCS** was placed on the Informal Calendar.

HCS for **HB 1765**, entitled:

An Act to repeal sections 192.2260, 192.2405, 217.360, 217.670, 217.690, 301.559, 339.100, 400.9-501, 513.430, 562.014, 570.135, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.005, 578.007, 578.011, 578.022, and 632.520 RSMo, sections 192.2410 and 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, sections 198.070, 221.111, 557.021, 565.188, 568.040, 569.090, 569.140, 570.030, and 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, sections 198.070 and 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, and to enact in lieu thereof thirty-five new sections relating to judicial proceedings, with penalty provisions.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HCS** for **HB 1765**, entitled:

**SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1765**

An Act to repeal sections 404.710, 404.717, 456.023, 456.590, 456.3-304, 456.4B-411, 456.5-508, 456.7-706, 469.060, 469.467, 473.050, 475.125, 513.430, 515.240, 515.250, 515.260, 516.105, and 650.058, RSMo, and to enact in lieu thereof eighty new sections relating to civil proceedings, with penalty provisions.

Senator Dixon moved that **SS** for **HCS** for **HB 1765**, be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HCS** for **HB 1765**, be read the 3rd time and was recognized to close.

President Pro Tem Richard referred **SS** for **HCS** for **HB 1765** to the Committee on Governmental Accountability and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Dixon moved that **SCS** for **SBs 588, 603 and 942**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SBs 588, 603 and 942**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 588, 603 and 942

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records, with a delayed effective date.

Was taken up.

Senator Schmitt assumed the Chair.

Senator Dixon moved that **HCS** for **SCS** for **SBs 588, 603 and 942**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curles	Dixon	Emery	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—25			

NAYS—Senators

Cunningham	Hegeman	Kraus	Sater	Schaaf	Schaefer	Schmitt—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **HCS** for **SCS** for **SBs 588, 603 and 942**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curles	Dixon	Emery	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—25			

NAYS—Senators

Cunningham	Hegeman	Kraus	Sater	Schaaf	Schaefer	Schmitt—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SS** for **HJR 53** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HJR 53** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Wieland, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 861** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 861

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No.3, House Amendment No. 3 as amended, and House Amendment No. 4, 5, 6, & 7, begs

leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 861;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 861 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Paul Wieland
 /s/ Brian Munzlinger
 /s/ Ryan Silvey
 /s/ Joseph P. Keaveny
 /s/ Gina Walsh

FOR THE HOUSE:

/s/ John McCaherty
 /s/ Lincoln Hough
 Becky Ruth
 /s/ John Rizzo
 /s/ Jeremy LaFaver

Senator Wieland moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Emery	Hegeman	Kraus	Schaaf	Walsh—5
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Absent—Senators

Dixon	Pearce—2
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Absent with leave—Senators—None

Vacancies—2

On motion of Senator Wieland, **CCS** for **HCS** for **SCS** for **SB 861**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 861**

An Act to repeal sections 227.600 and 447.708, RSMo, and to enact in lieu thereof eight new sections relating to tax incentives.

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Emery Hegeman Kraus Schaaf Walsh—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 638**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 638

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 638, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 638, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 638;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 638 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle
/s/ Bob Onder
/s/ Ed Emery
/s/ Jason Holsman
/s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Kathryn Swann
/s/ Lyle Rowland
/s/ Elijah Haahr
/s/ Jeremy LaFaver
/s/ Genise Montecillo

Senator Riddle moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Riddle, **CCS** for **SCS** for **SB 638**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 638

An Act to repeal sections 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.545, 161.216, 162.073, 162.261, 162.531, 162.541, 162.720, 163.031, 167.131, 167.241, 170.011, 170.310, 171.021, 173.750, RSMo, and to enact in lieu thereof twenty-nine new sections relating to elementary and secondary education, with an effective date for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 986**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the

respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 986;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 986 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown

/s/ Rob Schaaf

/s/ Paul Wieland

/s/ Jason Holsman

/s/ Jill Schupp

FOR THE HOUSE:

/s/ John D. Wiemann

Delus Johnson

Robert Ross

/s/ Pat Conway

/s/ Kip Hendrick

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, **CCS** for **HCS** for **SS** for **SCS** for **SB 986**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 986

An Act to authorize the conveyance of certain state properties, with an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 973**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, with House Amendment Nos. 1, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6 and 8, House Amendment No. 1 to House Amendment No. 9, and House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 973, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 973;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate

/s/ Caleb Jones
/s/ Robert Cornejo
/s/ Donald Rone
/s/ Jeremy LaFaver
/s/ Deb Lavender

Dixon Nasheed Schmitt—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 994**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 994

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 994, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 994, as amended;
2. That the Senate recede from its position on Senate Bill No. 994;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 994 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Jay Wasson
/s/ Mike Cunningham
/s/ Joseph P. Keaveny
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Justin Alferman
/s/ Bill Reiboldt
/s/ Robert Cornejo
/s/ Jacob Hummel
/s/ Tracy McCreery

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Holsman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Emery	Schaaf	Sifton—3
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Absent—Senators

Dixon	Hegeman—2
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Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, **CCS** for **HCS** for **SB 994**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 994

An Act to repeal sections 262.823, 311.060, 311.091, 311.205, RSMo, and to enact in lieu thereof five new sections relating to alcohol.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Holsman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Emery	Schaaf	Sifton—3
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Absent—Senators

Dixon	Hegeman—2
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Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 786**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 786

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 786, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for

Senate Bill No. 786, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 786;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 786, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Jay Wasson

/s/ Dan Hegeman

/s/ Gina Walsh

Jill Schupp

FOR THE HOUSE:

/s/ Tony Dugger

/s/ Sue Entlicher

/s/ Joe Don McGaugh

/s/ Pat Conway (10th)

Stacey Newman

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, **CCS** for **HCS** for **SS** for **SB 786**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 786

An Act to repeal sections 115.105, 115.107, 115.306, 115.361, 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and section 130.057 as enacted by house bill no. 676 merged with senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof seventeen new sections relating to elections, with an emergency clause for certain sections and a delayed effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

Emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Curls Schupp—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Pearce moved that **SCS** for **SB 996**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 996**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 996

An Act to repeal sections 160.415, 161.216, 162.720, and 163.031, RSMo, and to enact in lieu thereof four new sections relating to elementary and secondary education, with a delayed effective date for a certain section and an emergency clause for a certain section.

Was taken up.

Senator Pearce moved that **HCS** for **SCS** for **SB 996**, as amended, be adopted.

At the request of Senator Pearce, the motion to adopt **HCS** for **SCS** for **SB 996**, as amended, was withdrawn.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 996**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1649**, with **SCS**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Parson.

SCS for **HCS** for **HB 1649**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1649**

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil liability for removing a minor from a locked vehicle, with an emergency clause.

Was taken up.

Senator Parson moved that **SCS** for **HCS** for **HB 1649** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HCS** for **HB 1649** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 873**, entitled:

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof two new sections relating to the science, technology, engineering and mathematics fund.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the phrase “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the phrase “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said section and line the following:

“173.2050. 1. The governing board of each public institution of higher education in this state shall engage in discussions with law enforcement agencies with jurisdiction over the premises of an institution to develop and enter into a memorandum of understanding concerning sexual assault, domestic violence, dating violence, and stalking, as defined in the federal Higher Education Act of 1965, 20 U.S.C. Section 1092(f), involving students both on and off campus.

2. The memorandum of understanding shall contain detailed policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional practices. At a minimum, the memorandum shall set out procedural requirements for the reporting of an offense, protocol for establishing who has jurisdiction over an offense, and criteria for determining when an offense is to be reported to law enforcement.

3. The department of public safety in cooperation with the department of higher education shall promulgate rules and regulations to facilitate the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2 and 3, by deleting the words, “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the words, “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said line the following:

“620.806. 1. The Missouri job development fund, formerly established in the state treasury by section 620.478, shall now be known as the “Missouri Works Job Development Fund” and shall be administered by the department for the training program. The fund shall consist of all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, or bequests received from federal, private or other sources, including, but not limited to, any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure, development, and human resource investment programs which may be provided by the federal government or other sources.

2. The department may provide financial assistance through the training program to qualified companies that create new jobs which will result in the need for training, or that make new capital investment relating directly to the retention of jobs in an amount at least five times greater than the amount of any financial assistance. Financial assistance may also be provided to a consortium of **a majority of** qualified companies organized to provide common training to the consortium members' employees. Funds in the Missouri works job development fund shall be appropriated, for financial assistance through the training program, by the general assembly to the department and shall be administered by a local educational agency certified by the department for such purpose. Except for state-sponsored preemployment training, no qualified company shall receive more than fifty percent of its training program costs from the Missouri works job development fund. No funds shall be awarded or reimbursed to any qualified company for the training, retraining, or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage. Upon approval by the department, training project costs, except the purchase of training equipment and training facilities, shall be eligible for reimbursement with funds from the Missouri works job development fund. Notwithstanding any provision of law to the contrary, no qualified company within a service industry shall be eligible for assistance under this subsection unless such qualified company provides services in interstate commerce, which shall mean that the qualified company derives a majority of its annual revenues from out of the state.

3. The department may provide assistance, through appropriations made from the Missouri works job development fund, to business and technology centers. Such assistance shall not include the lending of the state's credit for the payment of any liability of the fund. Such centers may be established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries as determined by current labor market information.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the words “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the words “higher education”; and

Further amend said bill. Page 3, Section 173.670, Line 67, by inserting after said section and line the following:

“571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, [or] statewide elected officials and their employees, **or other persons** holding a valid concealed carry permit

or endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) The following locations within a public higher education institution without the consent of the governing body of the public higher education institution:

(a) Any polling place on election day;

(b) Any classroom location where a preschool or an elementary or secondary school-sponsored activity is occurring, excluding the location of a tour or similar transient presence, or any location of programs or camps for children eighteen years of age and under that are sponsored, facilitated, or coordinated by the public higher education institution;

(c) Any courtroom or associated offices when such offices are being used by a federal, state, or local judge for official business;

(d) Any patient care area, hospital, or patient care office, including those in which mental health services are provided;

(e) **Any National Collegiate Athletic Association sporting event, any other event with more than five thousand seats, or any event that is a ticketed event. Such ticket shall be used as notice to the attendee with the words “Firearms Prohibited” written on the ticket;**

(f) **Any board meeting or meeting in which disciplinary, grievance, tenure, or academic promotion proceedings are taking place;**

(g) **Animal-research facilities and other animal-care and animal-use locations in which protocols regulating ingress and egress create a risk that a concealed firearm will accidentally discharge, be contaminated, or be separated from a concealed carry license holder.**

Possession of a firearm in a vehicle on the premises of any public higher education institution shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any **private** higher education institution or elementary or secondary school facility without the consent of the governing body of the **private** higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any **private** higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(11)] (12) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

[(12)] (13) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(13)] (14) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(14)] (15) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(15)] (16) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about

the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

[(16)] (17) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(17)] (18) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to [(17)] (18) of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

3. No private or public higher education institution shall compile or distribute to an entity, including itself, identifying information of concealed carry permit or endorsement holders.

4. All signage posted on a public higher education institution prohibiting the carrying of concealed firearms in prohibited places shall be clearly and conspicuously posted at the entrance of a building, premises, or real property specified in this section as a prohibited area, unless the building or premises is a private residence. Signage shall be of a uniform design as established and shall be four inches by six inches in size. Such signage shall be window cling or other material to be placed on external doors with the following:

- (1) A white background;**
- (2) No text or marking within the one-inch area surrounding the graphic design;**
- (3) A depiction of a handgun in black ink with a circle around and diagonal slash across the firearm in red ink; and**
- (4) The image shall be four inches in diameter.**

5. Except as provided by subsection 6 of this section, no public higher education institution shall be authorized or enabled to impose by rule, policy, ordinance, contractual requirement, or agreement of any type any prohibition on the lawful possession or carry of concealed firearms by full-time university employees as a condition of employment or other affiliation with such public higher education institution.

6. (1) Notwithstanding any other provision of law, a public higher education institution shall be allowed to adopt rules and policies regarding the possession of concealed firearms on its premises, subject to the limits set forth in this subsection. Such rules and policies may restrict the possession of concealed firearms on campus as expressly provided in subdivisions (2) to (4) of this subsection; any additional restrictions shall not conflict with subdivisions (5) and (6) of this subsection and shall be based on specific, enhanced safety considerations demonstrated by the public higher education institution, subject to de novo judicial review under section 536.050, appertaining to the conduct being regulated. Adopted rules and policies shall be published on the public higher education institution's website where other collected rules and regulations are posted.

(2) A public higher education institution may establish a rule that all counselors, staff, and volunteers who work in a campus program for minors, as defined by the public higher education institution rules regarding programs for minors, be required as a condition of their participation to agree not to carry a concealed firearm on the grounds or premises where the actual program is conducted.

(3) A public higher education institution may establish a rule that prohibits possession of a concealed firearm on campus premises leased by the university to a third party, if the third party determines to prohibit the concealed carry of concealed firearms on the premises.

(4) Other than those locations described in subdivision (10) of this section or subdivision (3) of this subsection, rules and policies adopted under this subsection shall not prohibit or limit, or have the effect of prohibiting or limiting:

- (a) The possession or storage of a concealed firearm; or**
- (b) The firearm condition or readiness of a firearm when carried concealed.**

(5) Rules and policies adopted under this subsection shall not prohibit and shall not have the effect of prohibiting, lawful possession or storage of a firearm in a vehicle on the premises of a public higher education institution.

(6) Rules and policies adopted under this subsection shall not restrict the type of firearm that may be carried concealed at such institution.

(7) Rules and policies adopted under this subsection shall not limit or interpret the rights afforded employees under subsection 6 of section 571.030.

7. A public higher education institution shall not impose any taxes, fees, or other monetary charges as a condition for the lawful possession or carry of concealed firearms. If a private person seeks the return of a firearm in the possession of a public higher education institution that such person is entitled to possess, the public higher education institution shall make it available for return within two days following written demand for such firearm.

8. Any person aggrieved by a deprivation of, or a threatened deprivation of, a concealed firearm or ammunition at a public higher education institution in violation of this section, or aggrieved by a denial of, or a threatened denial of, access to any portion of a public higher education in violation of this section, may, in addition to any other remedy available, maintain a claim in small claims court. The court shall have the authority to award equitable relief to such aggrieved person in addition to any other remedy available in such court. Entitlement to a remedy shall not depend on the extent to which the person responsible for the deprivation or denial was aware that the deprivation or denial was a violation.”; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after said section and line the following:

“Section B. The repeal and reenactment of section 571.107 of this act shall become effective on January 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 873, Page 1, Line 3, by inserting after all of said line the following:

“Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

[4.] 5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

[5.] 6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery

of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

[6.] **7.** For any school year, grants authorized by subsections 1, 2, and [4] **5** of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection [7] **8** of this section.

[7.] **8.** The department of higher education shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection [9] **10** of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a [public] high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section; except that, students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the department of higher education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department; and

(4) Who is a citizen or permanent resident of the United States.

[8.] **9.** The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.] **10.** For a two-year private vocational or technical school to obtain reimbursements under subsection [7] **8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit

organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by deleting the phrase “the science, technology, engineering and mathematics fund” and inserting in lieu thereof the phrase “higher education”; and

Further amend said bill, Page 3, Section 173.670, Line 67, by inserting after all of said section and line the following:

“178.780. 1. Tax supported community colleges formed prior to October 13, 1961, and those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the coordinating board for higher education.

2. The coordinating board for higher education shall:

(1) Establish the role of the two-year college in the state;

(2) Set up a survey form to be used for local surveys of need and potential for two-year colleges; provide supervision in the conducting of surveys; require that the results of the studies be used in reviewing applications for approval; and establish and use the survey results to set up priorities;

(3) Require that the initiative to establish two-year colleges come from the area to be served;

(4) Administer the state financial support program;

(5) Supervise the community college districts formed under the provisions of sections 178.770 to 178.890 and the community colleges now in existence and formed prior to October 13, 1961;

(6) Formulate and put into effect uniform policies as to budgeting, record keeping, and student accounting;

(7) Establish uniform minimum entrance requirements and uniform curricular offerings for all community colleges;

(8) Make a continuing study of community college education in the state; [and]

(9) Be responsible for the accreditation of each community college under its supervision. Accreditation shall be conducted annually or as often as deemed advisable and made in a manner consistent with rules and regulations established and applied uniformly to all community colleges in the state. Standards for accreditation of community colleges shall be formulated with due consideration given to curriculum offerings and entrance requirements of the University of Missouri; **and**

(10) Establish a standard core curriculum and a common course numbering equivalency matrix

for lower-division courses to be used at community colleges and other public institutions of higher education to facilitate student transfers as provided under sections 178.785 to 178.789 .

178.785. The provisions of sections 178.785 to 178.789 shall be known and may be cited as the “Higher Education Core Curriculum Transfer Act”. For purposes of sections 178.785 to 178.789, the following terms mean:

(1) “Coordinating board”, the coordinating board for higher education established in section 173.005;

(2) “Core curriculum”, the basic competencies to be met, which shall include communicating, higher-order thinking, managing information, valuing, and includes the knowledge areas of social and behavioral sciences, humanities and fine arts, mathematics, and life and physical sciences;

(3) “Faculty member”, a person who is employed full-time by a community college or other public institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration;

(4) “Native student”, a student whose initial college enrollment was at an institution of higher education and who has not transferred to any other institution since that initial enrollment and who has completed no more than eleven credit hours at any other institution of higher education.

178.786. 1. The coordinating board for higher education, with the assistance of an advisory committee composed of representatives from each public community college in this state and each public four-year institution of higher education, shall develop a recommended lower division core curriculum of forty-two semester credit hours, including a statement of the content, component areas, and objectives of the core curriculum. A majority of the members of the advisory committee shall be faculty members from Missouri public institutions of higher education.

2. The coordinating board shall approve a common course numbering equivalency matrix for the forty-two credit hour block at all institutions of higher education in the state to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and course identification. Each community college and four-year institution of higher education shall include in its course listings the applicable course numbers from the common course numbering equivalency matrix approved by the coordinating board under this subsection.

3. The coordinating board shall complete the requirements of subsections 1 and 2 of this section prior to January 1, 2018, for implementation of the core curriculum transfer recommendations for the 2018-19 academic year for all public institutions of higher education.

178.787. 1. Each community college, as defined in section 163.191, and public four-year institution of higher education shall adopt the forty-two credit hour block, including specific courses comprising the curriculum, based on the core curriculum recommendations made by the coordinating board for higher education under subsections 1 and 2 of section 178.786, for implementation beginning in the 2018-19 academic year.

2. If a student successfully completes the forty-two credit core curriculum at a community college or other public institution of higher education, that block of courses may be transferred to any other public institution of higher education in this state and shall be substituted for the receiving institution's core curriculum. A student shall receive academic credit for each of the courses

transferred and shall not be required to take additional core curriculum courses at the receiving institution.

3. A student who transfers from one public institution of higher education to another public institution of higher education in the state without completing the core curriculum of the sending institution shall receive academic credit from the receiving institution for each of the courses that the student has successfully completed in the core curriculum of the sending institution. Following receipt of credit for these courses, the student may be required to satisfy further course requirements in the core curriculum of the receiving institution.

178.788. 1. The coordinating board for higher education, in consultation with the advisory board established in section 178.786, shall develop criteria to evaluate the transfer practices of each public institution of higher education in this state and shall evaluate the transfer practices of each institution based on this criteria.

2. The coordinating board shall develop procedures to be followed by institutions of higher education in resolving disputes concerning the transfer of course credit and by the commissioner of higher education in making a final determination concerning transfer of course credit if a transfer is in dispute.

3. Each institution of higher education shall publish in its course catalogs and on its official website the procedures adopted by the board under subsections 1 and 2 of this section.

4. If an institution of higher education does not accept course credit earned by a student at another public institution of higher education, that institution shall give written notice to the student and the other institution that the transfer of the course credit is denied. The two institutions and the student shall attempt to resolve the transfer of the course credit in accordance with rules promulgated by the coordinating board. If the transfer dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned within forty-five days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall notify the commissioner of higher education of its denial and the reasons for the denial.

5. The commissioner of higher education or his or her designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination as to the involved student and institutions.

6. The coordinating board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee.

7. The provisions of sections 178.785 to 178.789 shall not apply to native students who are not seeking to transfer credits nor affect the authority of an institution of higher education to adopt its own admission standards or its own grading policies.

8. Students enrolled in professional programs shall complete the appropriate core curriculum that is required for accreditation or licensure.

178.789. The coordinating board for higher education may promulgate all necessary rules and regulations for the administration of sections 178.785 to 178.789. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall

become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void. “; and

Further amend said bill, Page 4, Section 620.3030, Line 53, by inserting after all of said section and line the following:

“Section 1. 1. Notwithstanding any other provision of law to the contrary, if the spouse of any full-time employee of a public institution of higher education incurs out-of-state travel costs that are paid for or reimbursed by such institution then such employee shall be required to file a quarterly travel report with the Missouri ethics commission listing the date or dates, location, purpose, and the full cost of any out-of-state travel made by such employee's spouse. Such costs shall include, but not be limited to, any transportation costs, lodging costs, and meal expenses that are paid for or reimbursed by the public institution. The commission shall publish travel reports in an electronic format on the commission's website and shall enable the reports to be easily searched by name, employee position, and institutional affiliation. The commission shall enable the electronic filing of reports.

2. In addition to the quarterly reports required under subsection 1 of this section, any spouse of a full-time employee of a public institution of higher education whose travels were funded by such public institution under the provisions of subsection 1 of this section during the one-year period immediately before the effective date of this section shall, no later than six months after the effective date of this section, file an additional travel report with the commission covering travel expenditures during that one-year period. This travel report shall be identical in content to the quarterly travel reports required under subsection 1 of this section. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 873, Page 1, In the Title, Lines 2-3, by removing the phrase “the science, technology, engineering and mathematics fund” and insert in lieu thereof the phrase “student welfare”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“167.225. 1. As used in this section, the following terms mean:

(1) [“Blind persons”, individuals who:

(a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or have a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees; or

(b) Have a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity] **“Assessment”, the National Reading Media Assessment or another research-based assessment or series of research-based assessments authorized under the Individuals with Disabilities Education Act that determines a student’s reading and writing skills, needs, and appropriate reading and writing media and addresses the student’s academic and functional strengths, deficits, as well as the student's current and future educational needs;**

(2) “Braille”, the system of reading and writing through touch [commonly known as standard English

Braille];

(3) “Student”, any student who [is blind or any student eligible for special education services for visually impaired as defined in P.L. 94-142] **is eligible for special education services under the Individuals with Disabilities Education Act and who:**

(a) Has an impairment in vision that, even with correction, adversely affects a child’s educational performance;

(b) Has a reasonable expectation of visual deterioration; or

(c) Cannot read printed material at a competitive rate of speed and with facility due to lack of visual acuity or field .

2. All students [may] **shall** receive instruction in Braille reading and writing as part of their individualized education plan **unless, as a result of an assessment, instruction in Braille or the use of Braille is determined not appropriate for the student** . No student shall be denied the opportunity of instruction in Braille reading and writing solely because the student has some remaining vision.

3. Instruction in Braille reading and writing shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with his sighted peers of comparable grade level and intellectual functioning. The student's individualized education plan shall specify:

(1) How Braille will be implemented as the primary mode for learning through integration with normal classroom activities. If Braille will not be provided to a child who is blind, the reason for not incorporating it in the individualized education plan shall be documented therein;

(2) The date on which Braille instruction will commence;

(3) The level of competency in Braille reading and writing to be achieved by the end of the period covered by the individualized education plan; and

(4) The duration of each session.

4. As part of the certification process, teachers certified in the education of blind and visually impaired children shall be required to demonstrate competence in reading and writing Braille. The department of elementary and secondary education shall adopt assessment procedures to assess such competencies which are consistent with standards adopted by the National Library Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963, parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have the right to:

(1) An independent evaluation at public expense for any agency evaluation, including the assessment established under subdivision (1) of subsection 1 of section 167.225;

(2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams determination of the need for Braille instruction;

(3) File a due process complaint with the department of elementary and secondary education concerning the proposed action of the agency regarding provision of Braille instruction or any other matter related to the provision of a free appropriate public education to the student which will be forwarded to the Administrative Hearing Commission for an impartial hearing; and

(4) A resolution meeting convened by the school with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process complaint to discuss the due process complaint and the facts that form the basis of the complaint so that the school and parent have the opportunity to resolve the dispute. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 897**.

With House Amendment Nos. 1, 2, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 897, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “to property tax.”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section and line the following:

“137.016. 1. As used in Section 4(b) of Article X of the Missouri Constitution, the following terms mean:

(1) “Residential property”, all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include **hotel, motel, or tourist courts as defined in section 66.500 or other similar facilities used primarily for transient housing. Residential property that is not primarily used for transient housing shall be assessed at the commercial rate for those days actually rented to transient guests.** For the purposes of this section, “transient housing” means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S.

Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in Subclasses (1) and (2) of Section 4(b) of Article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to Article X of the State Constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to Article X, Subsection 2 of Section 6 of the Constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

(1) Immediate prior use, if any, of such property;

(2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in Section 4(b) of Article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement Section 7 of Article X of the Missouri Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 897, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu thereof the phrase “to financial transactions.”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line the following:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

Section B. Because of the need to prevent a lapse in the authority of the county commission with regard to budgetary matters, the repeal and reenactment of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an

emergency act within the meaning of the constitution, and the repeal and reenactment of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “collection of public money”; and

Further amend said bill, Section A, Line 2, by inserting after all of said section and line the following:

“99.848. 1. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004.

2. In cities of the fourth classification, an ambulance district board, as defined in chapter 190, or a fire protection district board, as defined in chapter 321, shall set the reimbursement rate annually prior to the time the assessment is paid into the special allocation fund. If the redevelopment plan, area, or project is amended by ordinance or by other means, the board shall have the right to recalculate the base year under this section. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 897, Page 1, In the Title, Line 3, by deleting the words “payments due by collectors” and inserting in lieu thereof the words “financial transactions”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“110.010. 1. The public funds of every county, township, city, town, village, school district of every character, road district, sewer district, fire protection district, **ambulance district**, water supply district, drainage or levee district, state hospital, state schools for the mentally deficient, Missouri School for the Deaf, Missouri School for the Blind, Missouri Training School for Boys, training school for girls, Missouri Veterans' Home, Missouri State Chest Hospital, state university, Missouri state teachers' colleges, Lincoln University, which are deposited in any banking institution acting as a legal depositary of the funds under the statutes of Missouri requiring the letting and deposit of the same and the furnishing of security therefor, shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer.

2. The securities shall, at the option of the depositary banking institution, be delivered either to the fiscal officer or the governing body of the municipal corporation or other depositor of the funds, or by depositing the securities with another banking institution or safe depositary as trustee satisfactory to both parties to the depositary agreement. The trustee may be a bank owned or controlled by the same bank holding company as the depositary banking institution.

3. The rights and duties of the several parties to the depositary contract shall be the same as those of the state and the depositary banking institution respectively under section 30.270. If a depositary banking institution deposits the bonds or securities with a trustee as above provided, and the municipal corporation or other depositor of funds gives notice in writing to the trustee that there has been a breach of the depositary contract and makes demand in writing on the trustee for the securities, or any part thereof, then

the trustee shall forthwith surrender to the municipal corporation or other depositor of funds a sufficient amount of the securities to fully protect the depositor from loss and the trustee shall thereby be discharged of all further responsibility in respect to the securities so surrendered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 937**, entitled:

An Act to repeal sections 66.620, 67.1360, 70.210, 94.902, 99.820, 182.802, 192.300, 205.205, 221.407, 256.437, 256.438, 256.439, 256.440, 256.443, 321.242, 321.246, 488.2206, and 644.021, RSMo, and to enact in lieu thereof twenty-two new sections relating to political subdivisions.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Pages 22-28, Section 99.820, Lines 1-210, by deleting all of said section and line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 28, Section 99.820, Line 210, by inserting after all of said section and line the following:

“105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) “Elected local government official lobbyist”, any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget of over ten million dollars **who makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more local government officials;**

(2) “Executive lobbyist”, any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person’s employer; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more

employees of the executive branch of state government in connection with such activity.

An “executive lobbyist” shall not include a member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;

b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;

c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;

d. Participating in public hearings or public proceedings on rules, grants, or other matters;

e. Responding to any request for information made by any public official or employee of the executive branch of government;

f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or

h. Testifying as a witness before a state board, commission or agency of the executive branch;

(3) “Expenditure”, any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term “expenditure” shall not include the following:

(a) Any item, service or thing of value transferred to any person within the third degree of consanguinity **or affinity** of the transferor which is unrelated to any activity of the transferor as a lobbyist;

(b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person’s official duties, or souvenirs or mementos valued at less than ten dollars;

(c) Contributions to the public official’s campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130;

(d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person’s or entity’s business to persons who are not public officials;

(e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient's status as a public official or staff member, employee, spouse or dependent child of a public official;

(f) The transfer of any item, provision of any service, or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service, or opportunity is necessary for a public official or employee to perform his or her duty in his or her official capacity, including but not limited to entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;

(g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

(h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment not to exceed fifty dollars in value;

(4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary.

A "judicial lobbyist" shall not include a member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;

b. Participating in public hearings or public proceedings on rules, grants, or other matters;

c. Responding to any request for information made by any judge or employee of the judicial branch of government;

d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

(5) “Legislative lobbyist”, any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person’s employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A “legislative lobbyist” shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A “legislative lobbyist” shall not include any member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

(6) “Lobbyist”, any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

(7) “Lobbyist principal”, any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

(8) “Public official”, any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

a. All members of the senate, which may or may not include senate staff and employees under the

direct supervision of a state senator;

b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;

e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; [honoraria;] meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when [any] **all** of the following are invited **seventy-two hours in advance using the same communication medium and** in writing:

a. [All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] **All members of the general assembly, which may or may not include staff and employees under the direct supervision of a member of the general assembly; and**

b. All statewide officials, which may or may not include staff and employees under the direct supervision of a statewide official;

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has

with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive

branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.

14. Notwithstanding any provision of law to the contrary, no lobbyist principal or lobbyist or any other person acting on behalf of a lobbyist principal or lobbyist shall make any expenditure for any public official of the state, local government official or school district board member, his or her staff or employees, or his or her spouse or dependent children, except for expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.

[105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this

subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or

resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political

contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year,

provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of [five] **two hundred fifty** dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of [five] **two hundred fifty** dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

“256.720. 1. Notwithstanding the provisions of subsection 2 of this section, no rule, regulation, order, or ordinance of any political subdivision shall apply to prevent a property owner from constructing a private domestic well if the construction is allowed under state law.

2. If the department of natural resources can provide evidence of water contamination in an area of the state designated by the department as a special or sensitive area, any political subdivision in such area may regulate private domestic well construction in order to protect water quality. Any

political subdivision in such area may require that a water filtration system be installed in any new well construction as a condition of receiving a permit.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 19, Section 94.860, Line 77, by inserting immediately after all of said line the following:

“94.900. 1. (1) The governing body of the following cities may impose a tax as provided in this section:

(a) Any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants;

(b) Any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants

(c) Any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

[(c)] **(d)** Any city of the fourth classification with more than two thousand six hundred but fewer than two thousand seven hundred inhabitants and located in any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

[(d)] **(e)** Any home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants;

[(e)] **(f)** Any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants.

(2) The governing body of any city listed in subdivision (1) of this subsection is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of improving the public safety of the city?

[] YES

[] NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the

proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a proposal receives less than the required majority, **in any city of the third classification with more than four thousand five hundred but fewer than five thousand inhabitants and located in any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants**, then the governing body of the city shall have no power to impose the sales tax herein authorized. **If a proposal receives less than the required majority, then the governing body of any other city shall have no power to impose the sales tax herein authorized** unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director

of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 17, Section 67.1790, Line 129, by inserting after all of said section and line the following:

“67.5110. 1. As used in this section, the following terms mean:

(1) **“Facilitation platform”, an intermediary that facilitates the rental of a residential dwelling rental and collects payment from a transient guest, but not including an entity that acts solely as a property manager;**

(2) **“Marketing platform”, an intermediary that facilitates the rental of a residential dwelling rental, but does not collect payment from a transient guest;**

(3) **“Owner”, a person who offers a residential dwelling rental to transient guests;**

(4) **“Political subdivision”, any county, city, town, village, or township;**

(5) **“Residential dwelling”, any building, structure, or part of the building or structure, that is used and occupied for human habitation or intended to be so used, and includes any appurtenances belonging to it or enjoyed with it. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;**

(6) **“Residential dwelling rental”, a residential dwelling or any part thereof that is offered for rent to transient guests. This definition shall not include time share units as the term “time share unit” is defined in section 407.600;**

(7) **“Transient guest”, any person who rents and occupies a guest room in a residential dwelling rental for a period of less than thirty-one days in any calendar quarter; provided, however, that “transient guest” shall not mean an occupant under a lease agreement.**

2. A political subdivision may not enact or enforce an ordinance that prohibits or unreasonably restricts residential dwelling rentals, or that regulates or otherwise restricts residential dwelling rentals based solely on their classification, use, or occupancy as a residential dwelling unit.

3. The provisions of subsection 2 of this section shall not prohibit a political subdivision from applying and enforcing any ordinance in effect prior to August 28, 2016.

4. Nothing in this section limits the authority of a political subdivision to enact or enforce an ordinance that imposes reasonable restrictions on residential dwelling rentals in any of the following areas:

(1) **Protection of the public's health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation and traffic control, solid and hazardous wastes, and pollution control;**

(2) **Local taxes that may be imposed on residential dwelling rentals to transient guests;**

(3) **A requirement that any person who rents out his or her residential dwellings shall obtain a**

business license and pay an annual license fee;

(4) The imposition or payment of inspection fees for residential dwellings;

(5) Posting requirements for licenses, certificates, or registrations as well as emergency procedures;

(6) Response time periods for complaints and short-term renter concerns;

(7) Nuisances related to residential dwellings;

(8) Age requirements for renters;

(9) Off-street parking requirements; or

(10) Zoning requirements.

5. A transient guest shall pay and an owner shall collect and remit any applicable taxes on the occupancy of a residential dwelling rental imposed by the state or by the municipality, county, or local taxing entity in which the residential dwelling is located, whether the tax imposed be a sales tax, hotel tax, occupancy tax, or otherwise. When an owner uses a facilitation platform, the facilitation platform shall collect and remit on behalf of the owner any such applicable taxes on the occupancy of a residential dwelling rental by a transient guest. A marketing platform shall:

(1) Disclose in its terms of service the obligation to pay any applicable taxes to both the transient guest and the owner of the residential dwelling;

(2) Require as a term of service that the transient guest and the owner of the residential dwelling acknowledge the obligation to pay any applicable taxes; and

(3) Maintain records of any rentals facilitated for a period of three years for audits requested by a tax administrator and conducted during normal business hours.

6. For purposes of the collection and remittance by a facilitation platform of any state sales tax on the occupancy of a residential dwelling rental, the provisions of sections 32.010 to 32.096, sections 136.101 to 136.380, and sections 144.010 to 144.525 shall apply.

7. Prior to facilitating a residential dwelling rental to a transient guest, a facilitation platform and a marketing platform shall require as a term of service that the owner of a residential dwelling rental certifies that the residential dwelling rental meets all applicable state and local requirements, and local requirements as described in subsection 4 of this section.”; and

Further amend said bill, Page 39, Section 256.447, Line 9, by inserting after all of said section and line the following:

“315.005. As used in sections 315.005 to 315.065, unless the context clearly indicates otherwise, the following terms mean:

(1) “Code”, the standards relating to fire safety, sanitation, electrical wiring, fuel-burning appliances, plumbing, swimming pools and spas, sewage and waste treatment and disposal as adopted by the department. The department in its discretion, may incorporate, in whole or in part, the standards or codes promulgated by the National Fire Protection Association, Building Officials and Code Administration International, Inc., Great Lakes Upper Mississippi River Board of State Sanitary Engineers, and American Society of Sanitary Engineers;

(2) “Department”, the director of the department of health and senior services or an agent of the director

of the department of health and senior services;

(3) “Guest room”, any room or unit where sleeping accommodations are regularly furnished to the public;

(4) “Lodging establishment”, any building, group of buildings, structure, facility, place, or places of business where five or more guest rooms are provided, which is owned, maintained, or operated by any person and which is kept, used, maintained, advertised or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests;

(5) “Owner”, the person responsible for obtaining a license from the department for operating the lodging establishment;

(6) “Permanent guest”, any person who rents and occupies a guest room in a lodging establishment for a period of thirty-one days or more;

(7) “Person”, any individual, partnership, corporation, association, organization, firm, or federal, state, county, city, village, or municipal association or corporation;

(8) “Transient guest”, any person who rents and occupies a guest room in a lodging establishment for a period of less than thirty-one days **in any calendar quarter.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SCS** for **SB 650**, with **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7, HA 1 to HA 8, HA 8** as amended, and **HA 9**.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SB 873**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 650**, as amended: Senators Pearce, Schaaf, Onder, Nasheed and Chappelle-Nadal.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2216**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 2216

Whereas, long-term care provides a broad range of medical, personal, and social services and supports in-home and community settings for persons in need of care due to age, illness, accident, or disability, including many Missouri veterans who have served and protected Missouri residents and the nation; and

Whereas, over ten million people in the United States need some form of long-term care services. However, in 2014, according to the Henry J. Kaiser Family Foundation, the average occupancy rate of certified beds in certified nursing facilities in Missouri was 72.5%, which was the ninth lowest in the nation. Some counties in Missouri have significantly lower occupancy rates, resulting in an overabundance of available beds for the current long-term care facility resident population; and

Whereas, in Missouri, the average annual cost of a semi-private room in nursing home is nearly \$51,000. While some nursing home residents are able to pay the cost of care with long-term care insurance or private savings, many more rely on familial assistance and government programs such as Medicaid, Medicare, and veterans' assistance. On average, over 70% of the total cost of a resident's stay in a long-term care facility is paid by either the federal or state government; and

Whereas, the general underutilization of beds in Missouri long-term care facilities, the disproportionate distribution of beds to residents in many counties, and the high cost of care for vital long-term care services for the elderly, disabled, and veteran populations have resulted in a crisis in the provision of adequate and financially-sustainable long-term care for Missouri residents:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Interim Committee on Long-Term Care Facilities; and

Be It Further Resolved that such committee be composed of six members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning:

(1) The relationship between certificate of need laws for long-term care facilities, the role of the Missouri Health Facilities Review Committee, and the current occupancy and utilization of long-term care beds in Missouri, including beds in hospitals, long-term care facilities, and veterans homes;

(2) Methods to improve quality of care and reduce costs in long-term care facilities, including exploring alternative financial strategies such as public-private partnerships; and

(3) The role of legislators serving on the Missouri Health Facilities Review Committee; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the Missouri Senate by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit input and information necessary to fulfill its obligations from the Department of Health and Senior Services, the Department of Social Services, the Department of Mental Health, the Missouri Veterans Commission, the Missouri Health Facilities Review Committee, and appropriate leaders in the long-term care industry in Missouri; and

Be It Further Resolved that the staffs of Senate Research and Senate Appropriations shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that the committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2215**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 2196**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION NO. 2196

Whereas, sustained investment in electric, natural gas, water, and sewer utility infrastructure is vital to the economic vitality and well-being of the State of Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies compete with utility companies in other states for the capital

necessary to sustain investment in utility infrastructure in Missouri; and

Whereas, Missouri electric, natural gas, water, and sewer utility companies must achieve reasonable rates of return as compared to the rates of return achieved by utility companies in other states to ensure sustained investment in utility infrastructure in Missouri; and

Whereas, the utility regulatory process in Missouri, as it applies to electric, natural gas, water, and sewer corporations, is governed primarily by Chapter 393, RSMo, which is largely unchanged since original enactment in 1913; and

Whereas, the utility regulatory process and framework must be periodically evaluated in order to promote the interests of fairness and balance among all constituencies, by addressing policy and practice advances in areas including nontraditional regulatory rate plans, performance-based regulatory rate plans, incentive regulatory rate plans, capital recovery schedules, consistency of utility regulatory policy with generally accepted accounting principles, consistency of utility regulatory policy with financial accounting standards, consistency of utility regulatory policy with generally accepted engineering principles, communication between and among participants in the regulatory process, time schedules for the initiation and conclusion of proceedings before utility regulatory agencies, the role, function, and needs of the Public Service Commission, the role, function, and needs of the Office of Public Counsel, and the overall structure and cost of governmental utility regulatory agencies and the utility regulatory process:

Now Therefore Be It Resolved that the members of the Senate of the Ninety-eighth General Assembly, Second Regular Session, hereby establish the Senate Committee on Utility Regulation and Infrastructure Investment; and

Be It Further Resolved that such committee be composed of six members of the Senate, to be appointed by the President Pro Tempore, with four members being of the majority party and two members being of the minority party; and

Be It Further Resolved that such committee conduct in-depth studies and make appropriate recommendations concerning: how the Missouri utility regulatory process and framework, and the results of such process and framework, compares to other states for electric, natural gas, water, and sewer utility companies; and how the utility regulatory process in Missouri can, or should, be modernized to be more efficient and effective, to ensure sustained investment in utility infrastructure and promote the interests of fairness and balance among all constituencies, including consumers and shareholders of regulated utility companies; and

Be It Further Resolved that such committee may present a final report, together with its recommendations for any legislative action it deems necessary for submission to the General Assembly by December 31, 2016, at which point the committee shall be dissolved; and

Be It Further Resolved that such committee may solicit any input and information necessary to fulfill its obligations from the Missouri Public Service Commission, the Department of Economic Development, the Office of Public Counsel, political subdivisions of this state, regulated utilities, and consumer groups; and

Be It Further Resolved that Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

Be It Further Resolved that such committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of such committee.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate request the House grant further conference on **HCS** for **SS** for **SB 608**, as amended, which motion prevailed.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 2220, regarding Adam Pressler, Northbrook, Illinois, which was adopted.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-NINTH DAY—THURSDAY, MAY 12, 2016

FORMAL CALENDAR

VETOED BILLS

SS for HCS for HB 1891 (Brown)

HOUSE BILLS ON SECOND READING

HCS for HB 2566
HCS for HB 1605

HCS for HJR 98

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

HB 1855-Allen (Schaaf) (In Fiscal Oversight)
HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
HCS for HBs 1589 & 2307, with SCS
(Emery) (In Fiscal Oversight)

HB 1585-Hill (Munzlinger)
HB 1620-Kelley (Schmitt)
HCS for HJR 54 (Riddle)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)
SB 596-Kraus, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS
SCS for SBs 662 & 587-Dixon
SB 680-Emery
SB 686-Wallingford, with SCS
SB 706-Dixon

SB 719-Emery, with SCS
SB 733-Dixon
SB 734-Dixon
SB 771-Onder
SB 772-Onder, with SCS
SB 774-Schmitt
SB 775-Schaefer
SB 785-Schaefer, with SCS, SS for SCS,
SA 1, SSA 1 for SA 1, SA 1 to SSA 1
for SA 1 & point of order (pending)

SBs 789 & 595-Wasson, with SCS	SB 972-Silvey
SB 792-Richard	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 793-Richard	SB 995-Riddle
SB 798-Kraus, with SCS	SB 1003-Onder
SB 802-Sater	SB 1004-Onder
SB 805-Onder, with SCS	SB 1005-Walsh
SB 806-Onder, with SCS	SBs 1010, 958 & 878-Curls, with SCS
SB 812-Keaveny	SB 1012-Dixon
SB 816-Wieland, et al	SB 1014-Dixon
SB 825-Munzlinger, with SA 1 (pending)	SB 1026-Schatz, with SCS
SB 830-Wasson, with SCS	SB 1028-Silvey, et al, with SCS
SB 848-Emery, with SCS	SB 1033-Pearce
SBs 851 & 694-Brown, with SCS	SB 1066-Curls
SB 853-Brown	SB 1074-Schmitt, with SCS
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1075-Wallingford
SB 868-Wasson	SB 1085-Pearce
SB 871-Wallingford	SB 1091-Riddle
SB 883-Riddle	SB 1094-Kehoe, with SCS
SB 894-Munzlinger, with SS (pending)	SB 1096-Dixon and Keaveny, with SS (pending)
SB 896-Hegeman	SB 1117-Wasson, with SCS
SB 898-Cunningham	SB 1120-Hegeman, et al
SB 908-Sater, with SCS	SB 1131-Sifton
SB 916-Schaefer	SB 1144-Brown
SB 920-Schmitt and Kraus	SJR 23-Sater, with SS (pending)
SB 951-Wasson, with SA 1 (pending)	SJR 35-Kraus, with SCS
SB 964-Wallingford, with SCS (pending)	
SB 966-Schaaf	

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)	HB 1619-McCaherty (Dixon)
HB 1435-Koenig, with SS (pending) (Kraus)	HB 1643-Hicks (Brown)
HCS for HB 1451, with SCS (Pearce)	HCS for HB 1658 (Onder)
HB 1452-Hoskins, with SCS (Pearce)	HCS for HB 1675, with SCS (pending) (Munzlinger)
HCS for HB 1463 (Kraus)	HB 1678-Solon, with SCS (Pearce)
HCS for HB 1464, with SCS (Brown)	HCS for HB 1695, with SCS (Wasson)
HB 1472-Dugger, with SS & SA 4 (pending) (Dixon)	HB 1716-Lichtenegger, with SCS (Munzlinger)
HB 1478-Entlicher, with SCS (Pearce)	HCS for HB 1718 (Romine)
HB 1479-Entlicher (Romine)	HCS for HB 1729 (Munzlinger)
HB 1534-Flanigan, with SCS (Schaefer)	HB 1745-Brattin, with SCS (Schatz)
HCS for HB 1561, with SCS (Schatz)	HCS for HB 1759, with SCS (Dixon)
HB 1575-Rowden, with SCA 1 (Munzlinger)	SS for HCS for HB 1765 (Dixon)
HB 1588-Franklin, with SCS (Parson)	

(In Fiscal Oversight)	HCS for HB 2187, with SCS (pending)
HCS for HB 1776 (Romine)	(Cunningham)
HCS for HBs 1780 & 1420 (Pearce)	HCS for HB 2202, with SCS (Dixon)
HB 1786-Pike, with SCS (Pearce)	HB 2226-Barnes (Silvey)
HB 1795-Haefner, with SCS (Sater)	HB 2230-Ross (Schatz)
HCS for HB 1804, with SCS, SS for SCS, SA 3	HCS for HBs 2234 & 1985 (Pearce)
& SSA 1 for SA 3 (pending) (Emery)	HB 2257-Jones, with SCS (Wieland)
HCS for HB 1850 (Wasson)	HCS for HB 2332, with SCS, SS for SCS, SA 1
HB 1892-Rehder (Schatz)	& point of order (pending) (Dixon)
HCS for HB 1898 (Emery)	HCS for HB 2397 (Cunningham)
HCS for HB 1904, with SCS, SS for SCS &	HCS for HB 2402, with SCS & SA 1
SA 1 (pending) (Wallingford)	(pending) (Pearce)
HCS for HB 1912, with SCS & SS for SCS	HB 2429-Dohrman, with SCS (Parson)
(pending) (Schatz)	HCS for HB 2445 (Libla)
HCS for HB 1930 (Riddle)	HCS for HB 2496 (Hegeman)
HCS for HB 2038 (Munzlinger)	HB 2590-Plocher, with SCS (Keaveny)
HB 2104-Alferman, with SCS (Schmitt)	HCS for HB 2689, with SS, SA 1 & SSA 1
HB 2111-Eggleston (Sater)	for SA 1 (pending) (Silvey)
HB 2166-Alferman, with SCS, SS#2 for	HJR 58-Brown (57) (Romine)
SCS, SA 5 & SA 1 to SA 5 (pending)	
(Onder)	

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)	HB 2480-Justus (Sater)
HB 1539-Vescovo (Wieland)	HB 1473-Dugger, with SCS (Wasson)
HB 1538-Vescovo (Wieland)	HB 1388-Roeber (Dixon)
HB 2183-Roeber (Curls)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 676-Sater, with HCS, as amended	SB 932-Cunningham, with HCS, as amended
SCS for SBs 688 & 854-Romine, with HCS,	SS for SB 937-Wallingford, with HCS, as
as amended	amended
SB 831-Wasson, with HCS, as amended	
SB 897-Hegeman, with HA 1, HA 2, HA 4 &	
HA 5	

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 572-Schmitt, with HCS
(Senate adopted CCR#2 and passed CCS#2)
SB 607-Sater, with HCS, as amended
(Senate adopted CCR and passed CCS)
SS for SB 608-Sater, with HCS, as amended
(Senate requests further conference)
SS for SB 621-Romine, with HCS, as
amended
SB 625-Walsh, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 627-Nasheed, with HA 1, HA 2, HA 3,
HA 4, as amended, HA 5 & HA 6
SB 635-Hegeman, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 638-Riddle and Silvey, with
HA 1, HA 2, HA 3, HA 4, HA 5, as
amended, HA 6, HA 7, HA 8, HA 9 & HA
10 (Senate adopted CCR and passed CCS)
SB 639-Riddle, with HCS, as amended
SB 640-Schatz, with HCS, as amended
SCS for SB 650-Pearce, with HA 1, HA 2,
HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
as amended & HA 9 (Further conference
granted)
SB 656-Munzlinger, with HCS, as amended
SB 677-Sater, with HCS, as amended
SCS for SB 703-Munzlinger, with HCS, as
amended
SS for SB 732-Munzlinger, with HCS, as
amended (Senate adopted CCR and
passed CCS)
SB 735-Dixon, with HCS, as amended
SCS for SB 765-Schmitt and Nasheed, with
HCS, as amended

SS for SB 786-Kraus, with HCS, as amended
(Senate adopted CCR and passed CCS)
SS for SB 799-Kraus, with HCS, as amended
SCS for SB 823-Kraus, with HCS, as
amended
SB 833-Nasheed, with HCS, as amended
SB 852-Brown, with HA 1, HA 2, as
amended & HA 3
SCS for SB 861-Wieland, with HCS, as
amended (Senate adopted CCR and
passed CCS)
SB 864-Sater, with HCS, as amended
SB 867-Sater, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 921-Riddle, with HA 1, as
amended, HA 2, HA 3, HA 4, HA 5 &
HA 6, as amended
SCS for SB 973-Wasson, with HCS, as
amended (Senate adopted CCR and
passed CCS)
SS for SCS for SB 986-Brown, with HCS,
as amended (Senate adopted CCR and
passed CCS)
SB 988-Kraus, with HA 1, HA 2, HA 3,
HA 4, as amended & HA 5
SB 994-Munzlinger, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 997-Pearce, with HCS, as amended
HCS for HB 1584, with SCS, as amended
(Schmitt) (House adopted CCR and
passed CCS)

Requests to Recede or Grant Conference

SB 873-Pearce, with HCS, as amended
(Senate requests House recede or
grant conference)

SCS for SB 996-Pearce, with HCS, as
amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp

SR 2062-Pearce
SR 2196-Emery, with SCS
SR 2215-Sater
SR 2216-Cunningham, with SCS
HCS for HCR 57 (Schaefer)
HCR 61-Engler (Dixon)
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)
HCS for HCR 73 (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-NINTH DAY—THURSDAY, MAY 12, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is my strength and my shield; so I am helped, and my heart exalts, and with my song I give thanks to him.” (Psalm 28:7)

Heavenly Father, You are with us as we enter these final two days and You continue to provide us the strength we need as we tirelessly work to complete the task before us, and for which we give You thanks. Teach us this day to know the duties we must perform and help us follow Your lead. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio, The Missouri Times, KRCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

REFERRALS

President Pro Tem Richard referred **HCS** for **HJR 54** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 573**, entitled:

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to investment policies of the state, with a referendum clause.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 573, Page 1, Section 30.267, Line 5, by inserting immediately after the word **“operations”** on said line the following: **“in strategic industries”**; and

Further amend said page and section, Lines 15-17, by deleting said lines and inserting in lieu thereof the following:

“4. For purposes of this section, “strategic industries” shall include:

(1) Military equipment such as:

(a) Weapons;

(b) Arms;

(c) Military supplies; and

(d) Equipment, including but not limited to, radar systems, or military-grade transport vehicles, that readily may be used for military purposes;

(2) Mineral extraction activities including:

(a) Exploring;

(b) Extracting;

(c) Processing;

(d) Transporting;

(e) Wholesale selling or trading of elemental minerals or associated metal alloys or oxides, also known as ore, including gold, copper, chromium, chromite, diamonds, iron, iron ore, silver, tungsten, uranium, and zinc;

(f) Includes facilitating such activities, including by providing supplies or services in support of such activities;

(3) Oil-related activities including but not limited to:

(a) **Owning rights to oil blocks;**

(b) **Exporting, extracting, producing, refining, processing, exploring for, transporting, selling, or trading of oil;**

(c) **Constructing, maintaining, or operating a pipeline, refinery, or other oil-field infrastructure;**
or

(d) **Facilitating such activities, including by providing supplies or services in support of such activities, including by providing supplies or services in support of such activities.**

“Oil-related activities” does not mean engaging in only the retail sale of gasoline and related consumer products;

(4) **Petroleum resources such as petroleum, petroleum byproducts, or natural gas;**

(5) **Power production including any business operation that involves a project commissioned by the national electricity corporation of the designated country or other similar entity of the government of the designated county whose purpose is to facilitate power generation and delivery, including but not limited to:**

(a) **Establishing power-generating plants or hydroelectric dams;**

(b) **Selling or installing components for a project;**

(c) **Providing service contracts related to the installation or maintenance of a project; or**

(d) **Facilitating any of these activities, including by providing supplies or services in support of such activities.”; and**

Further amend said bill, Page 2, Section B, Line 6, by inserting immediately after all of said section and line the following:

“ Section C. Shall Missouri law be amended to prohibit the state, its political subdivisions, and public retirement systems from investing in corporations doing business in countries currently designated as state sponsors of terrorism, including Iran, Syria and Sudan, in certain strategic industries?”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **HCS** for **HB 1765**, begs leave to report that it has considered the same and recommends that the bill do pass.

PRIVILEGED MOTIONS

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 831**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which

motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **SS** for **HCS** for **HB 1765** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1765** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **HB 1435**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 1435** was again taken up.

Senator Kraus moved that **SS** for **HB 1435** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **HB 1435** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—2

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Wasson moved that the vote by which the Senate refused to concur in **HCS** for **SB 831**, as amended, and requested the House to recede or grant conference, was adopted, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Dixon Schupp—2

Absent with leave—Senators—None

Vacancies—2

At the request of Senator Wasson, the motion to refuse to concur in **HCS** for **SB 831**, as amended, and request the House to recede or grant conference, was withdrawn.

HOUSE BILLS ON THIRD READING

HCS for **HB 1561**, with **SCS**, entitled:

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof two new sections relating to local sales taxes.

Was called from the Informal Calendar and taken up by Senator Schatz.

SCS for **HCS** for **HB 1561**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1561

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

Was taken up.

Senator Schatz moved that **SCS** for **HCS** for **HB 1561** be adopted.

Senator Schatz offered **SS** for **SCS** for **HCS** for **HB 1561**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1561

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to local sales taxes.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 1561** be adopted.

Senator Pearce assumed the Chair.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1561, Page 17, Section 66.620, Line 12, by inserting after all of said line the following:

“182.802. 1. (1) Any public library district located in any of the following counties may impose a tax as provided in this section:

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants;

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants;

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat;

(h) Any county of the fourth classification with more than twenty thousand but fewer than thirty thousand inhabitants; **or**

(i) Any county of the third classification with more than thirteen thousand nine hundred but fewer than fourteen thousand inhabitants.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, “qualified voters” or “voters” means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term “public library district” shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend the title and enacting clause accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HB 1561**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **HCS** for **HB 1561**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schatz	Schupp	Silvey	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Kraus	Schaaf	Schaefer	Schmitt	Sifton—7
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Emery moved that **HCS** for **HB 1804**, with **SCS**, **SS** for **SCS**, **SA 3** and **SSA 1** for **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Emery, **SS** for **SCS** for **HCS** for **HB 1804** was withdrawn, rendering **SA 3** and **SSA 1** for **SA 3** moot.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“393.1003. 1. Notwithstanding any provisions of chapter 386 and this chapter to the contrary, as of August 28, 2003, a water corporation providing water service in a county with a charter form of government and with more than one million inhabitants may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation’s rates and charges to provide for the recovery of costs for eligible infrastructure system replacements made in such county with a charter form of government and with more than one million inhabitants; provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars but not in excess of ten percent of the water corporation’s base revenue level approved by the commission in the water corporation’s most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006. **Once a county has come under the operation of this section, a subsequent change in population shall not remove that county from the operation of that law. Such was the intent of the general assembly in the original enactment of this section.**

2. The commission shall not approve an ISRS for a water corporation in a county with a charter form of government and with more than one million inhabitants that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation collect an ISRS for a period exceeding three years unless the water corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established.”; and

Further amend said bill, pages 1-4, section 393.1012, lines 1-98, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.

At the request of Senator Emery, **HCS for HB 1804**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Wallingford moved that **HCS for HB 1904**, with **SCS**, **SS for SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 19, Section 190.420, Line 14, of said page, by inserting after “fee” the following: “, **and may be used to fund the study required under subsection 18 of section 190.450**”; and

Further amend said bill, Page 22, Section 190.450, Line 8 of said page, by inserting after “question.” the following: “**The question shall not be resubmitted within three hundred fifty-nine days of the previous election at which a majority of the votes cast were opposed to the question.**”; and

Further amend said bill and section, Page 26, Line 2 of said page, by inserting immediately after the word “until” the following: “**the department of public safety has issued a state consolidation plan to the Missouri 911 service board and**”; and further amend line 16 of said page, by inserting immediately after “650.330” the following: “, **and the board shall review the plan to ensure it is not inconsistent with the state consolidation plan issued under subsection 18 of this section**”; and further amend line 24 of said page, by inserting after “implementation” the following: “**and that the board has received the state consolidation plan issued under subsection 18 of this section**”; and

Further amend said bill and section, Page 28, Line 16 of said page, by inserting after all of said line the following:

“18. By December 31, 2017, the department of public safety shall complete a study of the number of public safety answering points necessary to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, issue a state public safety answering point consolidation plan based on the study, and provide such plan to the Missouri 911 service board.”; and

Further amend said bill, Page 33, Section 190.451, Line 22 of said page, by inserting after all of said line the following:

“7. The provisions of this section shall expire on December 31, 2024.”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Curls offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 28, Section 190.450, Line 16, by inserting after “inhabitants” the following:

“or any county with a charter form of government and with more than six hundred thousand but

fewer than seven hundred thousand inhabitants”; and

Further amend said bill, page 33, section 190.451, line 22, by inserting after “inhabitants” the following:

“or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants”.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

Senator Wieland offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1904, Page 29, Section 190.451, Line 21 of said page, by inserting immediately after the word “transaction” the following: **“, and no service charge shall be collected on transactions occurring in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants”.**

Senator Wieland moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Wallingford, **HCS** for **HB 1904**, with **SCS**, and **SS** for **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Nasheed moved that the Senate request the House grant further conference on **SB 627**, as amended, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1892, introduced by Representative Rehder, entitled:

An Act to repeal section 195.015 as enacted by senate bill nos. 215 & 58, eighty-fifth general assembly, first regular session, and to enact in lieu thereof nine new sections relating to the narcotics control act, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Schatz.

Senator Schatz offered **SS** for **HB 1892**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 1892

An Act to repeal section 195.015 as enacted by senate bill nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof eleven new sections relating to the narcotics control act, with penalty provisions.

Senator Schatz moved that **SS** for **HB 1892** be adopted.

Senator Hegeman assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1892, Page 1, In the Title, Line 6, by inserting immediately after the word “provisions” the following: **“and a referendum clause”**; and

Further amend said bill, page 12, section 195.471, line 17 of said page, by inserting immediately after said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2016, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. Pursuant to chapter 116, RSMo, and other applicable constitutional provisions and laws of this state allowing the general assembly to adopt ballot language for the submission of this act to the voters of this state, the official ballot title of this act shall be as follows:

“Shall the Missouri Statutes be amended to create a database of the controlled substances dispensed to each person, searchable by name, drug, prescriber, and other elements, and accessible by all physicians and others as authorized, with the intent of preventing criminal doctor shopping?””.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Schatz, **HB 1892**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 996**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 873**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SS** for **SB 608**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 919**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 608**, as amended. Representatives: Allen, Haefner, Engler, Mitten, and Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 650**, as amended. Representatives: Cookson, Dohrman, Lichtenegger, McNeil, and Rizzo.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 873**, as amended. Representatives: Cookson, Dohrman, Lauer, Arthur, and Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 996**, as amended. Representatives: Swan, Rowland (155), Hough, McNeil, and Morgan.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 608**, as amended: Senators Sater, Romine, Onder, Schupp and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 996**, as amended: Senators Pearce, Emery, Romine, Schupp and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 873**, as amended: Senators Pearce, Romine, Emery, Nasheed and Schupp.

PRIVILEGED MOTIONS

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 921** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 921

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 921, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, and House Amendment No. 6 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 921, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 921;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill

No. 921, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle
/s/ David Pearce
/s/ Brian Munzlinger
/s/ Jill Schupp
/s/ S. Kiki Curls

FOR THE HOUSE:

/s/ Diane Franklin
/s/ Sheila Solon
/s/ Donna Pfautsch
Genise Monecillo
/s/ Jeanne Kirkton

Senator Riddle moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Pearce—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Riddle, **CCS** for **SCS** for **SB 921**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 921**

An Act to repeal sections 43.545, 455.543, 455.545, 595.030, and 595.209, RSMo, and to enact in lieu thereof seven new sections relating to victims of crime.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Cunningham moved that **SB 932**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 932**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 932

An Act to repeal sections 370.230, 486.245, 486.275, 486.285, 486.305, 486.310, and 486.375, RSMo, and to enact in lieu thereof seven new sections relating to regulation of bonded entities, with a penalty provision.

Senator Cunningham moved that **HCS** for **SB 932**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Cunningham, **HCS** for **SB 932**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 1862** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1862**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SB 627** with **HA 1**, **HA 2**, **HA 3**, **HA 1** to **HA 4**, **HA 4** as amended, **HA 5**, **HA 6**.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SB 627**, as amended. Representatives: English, Solon, Frederick, Dunn, and Mims.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS#2** for **SCS** for **SB 590**, entitled:

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, and to enact in lieu thereof five new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute #2 for Senate Committee Substitute for Senate Bill No. 590, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“558.047. 1. (1) Any person sentenced to a term of imprisonment for life without eligibility for parole before August 28, 2016, who was under eighteen years of age at the time of the commission of the offense or offenses, may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving twenty-five years of incarceration on the sentence of life without parole.

(2) Any person found guilty of murder in the first degree who was sentenced on or after August 28, 2016, to a term of life imprisonment with eligibility for parole or a term of imprisonment of not less than thirty years and not to exceed forty years, who was under eighteen years of age at the time of the commission of the offense or offenses may submit to the parole board a petition for a review of his or her sentence, regardless of whether the case is final for purposes of appeal, after serving

twenty-five years of incarceration, and a subsequent petition after serving thirty-five years of incarceration.

2. A copy of the petition shall be served on the office of the prosecutor in the judicial circuit of original jurisdiction. The petition shall include the person's statement that he or she was under eighteen years of age at the time of the offense, is eligible to petition under this section, and requests that his or her sentence be reviewed.

3. If any of the information required in subsection 2 of this section is missing from the petition, or if proof of service on the prosecuting or circuit attorney is not provided, the parole board shall return the petition to the person and advise him or her that the matter cannot be considered without the missing information.

4. The parole board shall hold a hearing and determine if the defendant shall be granted parole. At such a hearing, the victim or victim's family members shall retain their rights under section 595.209.

5. In a parole review hearing under this section, the board shall consider, in addition to the factors listed in section 565.033:

(1) Efforts made toward rehabilitation since the offense or offenses occurred, including participation in educational, vocational, or other programs during incarceration, when available;

(2) The subsequent growth and increased maturity of the person since the offense or offenses occurred;

(3) Evidence that the person has accepted accountability for the offense or offenses, except in cases where the person has maintained his or her innocence;

(4) The person's institutional record during incarceration; and

(5) Whether the person remains the same risk to society as he or she did at the time of the initial sentencing.”; and

Further amend said bill, Pages 5-6, Section 565.033, Lines 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

“565.033. 1. A person found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense shall be sentenced to a term of life without eligibility for probation or parole as provided in section 565.034, life imprisonment with eligibility for parole, or not less than thirty years and not to exceed forty years imprisonment.

2. When assessing punishment in all first degree murder cases in which the defendant was under the age of eighteen at the time of the commission of the offense or offenses, the judge in a jury-waived trial shall consider, or the judge shall include in instructions to the jury for it to consider, the following factors:

(1) The nature and circumstances of the offense committed by the defendant;

(2) The degree of the defendant's culpability in light of his or her age and role in the offense;

(3) The defendant's age, maturity, intellectual capacity, and mental and emotional health and development at the time of the offense;

- (4) The defendant's background, including his or her family, home, and community environment;**
- (5) The likelihood for rehabilitation of the defendant;**
- (6) The extent of the defendant's participation in the offense;**
- (7) The effect of familial pressure or peer pressure on the defendant's actions;**

(8) The nature and extent of the defendant's prior criminal history, including whether the offense was committed by a person with a prior record of conviction for murder in the first degree, or one or more serious assaultive criminal convictions;

(9) The effect of characteristics attributable to the defendant's youth on the defendant's judgment; and

(10) A statement by the victim or the victim's family member as provided by section 557.041 until December 31, 2016, and beginning January 1, 2017, section 595.229.

565.034. 1. If the state intends to seek a sentence of life without eligibility for probation or parole for a person charged with murder in the first degree who was under the age of eighteen at the time of the commission of the offense, the state must file with the court and serve upon the person a written notice of intent to seek life without eligibility for probation or parole. This notice shall be provided within one hundred twenty days of the person's arraignment upon an indictment or information charging the person with murder in the first degree. For good cause shown, the court may extend the period for service and filing of the notice. Any notice of intent to seek life without eligibility for probation or parole shall include a listing of the statutory aggravating circumstances, as provided by subsection 6 of this section, upon which the state will rely in seeking that sentence.

2. Notwithstanding any other provisions of law, where the state files a notice of intent to seek life without eligibility for probation or parole pursuant to this section, the defendant shall be entitled to an additional sixty days for the purpose of filing new motions or supplementing pending motions.

3. A notice of intent to seek life without eligibility for probation or parole pursuant to this section may be withdrawn at any time by a written notice of withdrawal filed with the court and served upon the defendant. Once withdrawn, the notice of intent to seek life without eligibility for probation or parole shall not be refiled.

4. After the state has filed a proper notice of intent to seek life without eligibility for probation or parole pursuant to this section, the trial shall proceed in two stages before the same trier. At the first stage the trier shall decide only whether the person is guilty or not guilty of any submitted offense. The issue of punishment shall not be submitted to the trier at the first stage.

5. If the trier at the first stage of the trial finds the person guilty of murder in the first degree, a second stage of the trial shall proceed at which the only issue shall be the punishment to be assessed and declared.

6. A person found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense is eligible for a sentence of life without eligibility for probation or parole only if a unanimous jury, or a judge in a jury-waived sentencing, finds beyond a reasonable doubt that:

- (1) The victim received physical injuries personally inflicted by the defendant and the physical**

injuries inflicted by the defendant caused the death of the victim; and

(2) The defendant was found guilty of first degree murder and one of the following aggravating factors was present:

(a) The defendant has a previous conviction for first degree murder, assault in the first degree, rape in the first degree, or sodomy in the first degree;

(b) The murder was committed during the perpetration of any other first degree murder, assault in the first degree, rape in the first degree, or sodomy in the first degree;

(c) The murder was committed as part of an agreement with a third party that the defendant was to receive money or any other thing of monetary value in exchange for the commission of the offense;

(d) The defendant inflicted severe pain on the victim for the pleasure of the defendant or for the purpose of inflicting torture;

(e) The defendant killed the victim after he or she was bound or otherwise rendered helpless by the defendant or another person;

(f) The defendant, while killing the victim or immediately thereafter, purposely mutilated or grossly disfigured the body of the victim by an act or acts beyond that necessary to cause his or her death;

(g) The defendant, while killing the victim or immediately thereafter, had sexual intercourse with the victim or sexually violated him or her;

(h) The defendant killed the victim for the purposes of causing suffering to a third person; or

(i) The first degree murder was committed against a current or former: judicial officer, prosecuting attorney or assistant prosecuting attorney, law enforcement officer, firefighter, state or local corrections officer; or against a witness or potential witness to a past or pending investigation or prosecution, during or because of the exercise of their official duty or status as a witness.”; and

Further amend said bill, Page 6, Section C, Line 4, by deleting the phrase “section 565.033” and inserting in lieu thereof the following:

“sections 558.047, 565.033, and 565.034”; and

Further amend said bill and section, Page 7, Line 7, by deleting the phrase “section 565.033” and inserting in lieu thereof the following:

“sections 558.047, 565.033, and 565.034”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

HOUSE BILLS ON THIRD READING

HCS for HB 1464, with **SCS**, entitled:

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Brown.

SCS for HCS for HB 1464, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1464**

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 1464** be adopted.

At the request of Senator Brown, **HCS for HB 1464**, with **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Dixon moved that **SS No. 2 for SCS for SB 590**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for SS No. 2 for SCS for SB 590, entitled:

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, and to enact in lieu thereof five new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

Was taken up.

Senator Onder assumed the Chair.

Senator Dixon moved that **HCS for SS No. 2 for SCS for SB 590**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **HCS for SS No. 2 for SCS for SB 590**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HCS for **HB 1695**, with **SCS**, entitled:

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HCS** for **HB 1695**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1695**

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1695** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 1695**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1695**

An Act to repeal sections 67.402, 94.579, and 393.1003, RSMo, and to enact in lieu thereof four new sections relating to political subdivisions.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1695** be adopted.

At the request of Senator Wasson, **HCS** for **HB 1695**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Schaaf assumed the Chair.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SB 852**, with **HA 1**, **HA 2**, as amended, and **HA 3**, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 852**

The Conference Committee appointed on Senate Bill No. 852, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2. as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 852, as amended;
2. That the Senate recede from its position on Senate Bill No. 852;

3. That the attached Conference Committee Substitute for Senate Bill No. 852, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown
 /s/ Doug Libla
 /s/ Paul Wieland
 /s/ S. Kiki Curls
 /s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Jason Chipman
 /s/ Travis Fitzwater
 /s/ Charlie Davis
 /s/ Rochelle W. Gray
 /s/ Joe Adams

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Onder assumed the Chair.

On motion of Senator Brown, **CCS** for **SB 852**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 852

An Act to amend chapter 227, RSMo, by adding thereto seven new sections relating to designation of certain memorial infrastructure.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 823** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 823

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 823;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 823 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Wayne Wallingford
/s/ Ed Emery
/s/ Joseph P. Keaveny
/s/ S. Kiki Curls

FOR THE HOUSE:

/s/ Anne Zerr
/s/ Eric Burlison
/s/ Joe Don McGaugh
/s/ Michael Butler
/s/ Jon Carpenter

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, **CCS** for **HCS** for **SCS** for **SB 823**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 823

An Act to repeal sections 137.016, 144.030, and 144.087, RSMo, and to enact in lieu thereof four new sections relating to taxation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 663**, entitled:

An Act to repeal sections 43.545, 57.111, 192.2260, 192.2405, 211.059, 217.670, 217.690, 301.559, 302.440, 302.535, 304.351, 311.310, 327.272, 339.100, 400.9-501, 455.543, 455.545, 476.083, 477.650, 478.705, 479.020, 563.031, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 569.132, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 571.111, 577.013, 577.014, 578.005, 578.007, 578.011, 578.022, 578.416, 579.015, 595.209, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.058, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted

by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 217.360 as enacted by senate bill no. 399, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, section 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010 and 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof eighty-five new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

With House Amendment Nos. 1, 2, 3, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 2, In the Title, Line 46, by deleting all of said line and inserting in lieu thereof the following:

“an emergency clause for a certain section, and an effective date for certain sections.”; and

Further amend said bill, Page 4, Section 57.111, Line 6, by deleting the words, “**his or her**” and inserting in lieu thereof the words, “**the sending**”; and

Further amend said bill, page and section, Line 8, by deleting the words, “**his or her**” and inserting in lieu thereof the words, “**the sending**”; and

Further amend said bill, Pages 113-115, Section 610.026, Lines 1-45, by removing all of said section and lines from the bill; and

Further amend said bill, Page 119, Section 610.205, Line 3, by deleting the phrase “**crime scene**” and inserting in lieu thereof the phrase “**crime scene,**”; and

Further amend said bill and section, Page 120, Lines 42-43 by deleting all of said lines and inserting in lieu thereof the following:

“6. The director of the department of public safety shall promulgate rules and regulations governing the viewing of materials described in subsection 1 of this section by bona fide credentialed members of the press.”; and

Further amend said bill, Page 122, Section C, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

“supreme court precedent, the repeal and reenactment of the second occurrence of section 563.046 of this”; and

Further amend said bill, page and section, Line 5, by deleting all of said line and inserting in lieu thereof the following:

“act is”; and

Further amend said bill and section, Page 122, Line 8 and Page 123, Line 9, by deleting all of said lines and inserting in lieu thereof the following:

“repeal and reenactment of the second occurrence of section 563.046 of this act shall be in full force and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 4, Section 57.111, Line 8, by inserting immediately after said line the following:

“84.514. The chief of police, with the approval of the board, may appoint a police officer to serve as lieutenant colonel on matters relating to homeland security. Notwithstanding the provisions of section 84.510 to the contrary, such position shall be a new position and in addition to the number of lieutenant colonels authorized under section 84.510. The lieutenant colonel authorized under this section shall be responsible for matters relating to homeland security as determined by the chief and be entitled to the same rank, privileges, and compensation afforded all other lieutenant colonels within the department.”; and

Further amend said bill, Page 105, Section 579.015, Line 17, by inserting after all of said section and line the following:

“595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. “Out-of-pocket loss” shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; or

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the children's division personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337; [or]

(4) Professional counselor licensed pursuant to chapter 337; or

(5) Board certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner licensed under chapter 335 or licensed in the state in which the service is provided.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more

persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 46, Section 400.9-501, Line 30, by inserting after all of said section and line the following:

“400.9-516. (a) Except as otherwise provided in subsection (b), communication of a record to a filing office and tender of the filing fee or acceptance of the record by the filing office constitutes filing.

(b) Filing does not occur with respect to a record that a filing office refuses to accept because:

(1) The record is not communicated by a method or medium of communication authorized by the filing office;

(2) An amount equal to or greater than the applicable filing fee is not tendered;

(3) The filing office is unable to index the record because:

(A) In the case of an initial financing statement, the record does not provide a name for the debtor;

(B) In the case of an amendment or information statement, the record:

(i) Does not identify the initial financing statement as required by section 400.9-512 or 400.9-518, as applicable; or

(ii) Identifies an initial financing statement whose effectiveness has lapsed under section 400.9-515;

(C) In the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual which was not previously provided in the financing statement to which the record relates, the record does not identify the debtor’s surname; or

(D) In the case of a record filed or recorded in the filing office described in section 400.9-501(a)(1), the record does not provide a sufficient description of the real property to which it relates;

(4) In the case of an initial financing statement or an amendment that adds a secured party of record, the record does not provide a name and mailing address for the secured party of record;

(5) In the case of an initial financing statement or an amendment that provides a name of a debtor which was not previously provided in the financing statement to which the amendment relates, the record does not:

(A) Provide a mailing address for the debtor; or

(B) Indicate whether the name provided as the name of the debtor is the name of an individual or an organization;

(6) In the case of an assignment reflected in an initial financing statement under section 400.9-514(a) or an amendment filed under section 400.9-514(b), the record does not provide a name and mailing address for the assignee; **or**

(7) In the case of a continuation statement, the record is not filed within the six-month period prescribed by section 400.9-515(d);

(8) The secretary of state has reasonable cause to believe the record is materially false or fraudulent; **or**

(9) The record on its face reveals, based on factors such as whether the debtor and the secured party are substantially the same person, the individual debtor is a transmitting utility, or whether the collateral described is within the scope of this chapter, that the record is being filed for a purpose other than a transaction that is within the scope of this chapter. This includes a record that asserts a claim against a current or former employee or officer of a federal, state, county, or other local governmental unit that relates to the performance of the officer's or employee's public duties, and for which the filer does not hold a properly executed security agreement or judgment from a court of competent jurisdiction.

(c) For purposes of subsection (b):

(1) A record does not provide information if the filing office is unable to read or decipher the information; **and**

(2) A record that does not indicate that it is an amendment or identify an initial financing statement to which it relates, as required by section 400.9-512, 400.9-514 or 400.9-518, is an initial financing statement; **and**

(3) A document, instrument, or record shall be presumed to be materially false or fraudulent if the document, instrument, or record is filed by an offender or on behalf of an offender. This presumption may be rebutted by providing the secretary of state the original or a copy of a sworn and notarized document signed by the obligor, debtor, or owner of the property designated as collateral stating that the person entered into a security agreement with the offender and authorized the filing of the instrument as provided in section 400.9-509. For the purposes of this subdivision the term "offender" shall have the same definition as provided in section 217.010, except, it shall only include inmates in the custody of the department of corrections.

(d) A record that is communicated to the filing office with tender of the filing fee, but which the filing office refuses to accept for a reason other than one set forth in subsection (b), is effective as a filed record except as against a purchaser of the collateral which gives value in reasonable reliance upon the absence of the record from the files.

(e) In the alternative to the provisions of sections 428.105 through 428.135, if an information statement filed with the secretary of state under section 400.9-518 alleges that a previously filed record was wrongfully filed, the secretary of state shall, without undue delay, determine whether the contested record was wrongfully filed. To determine whether the record was wrongfully filed, the secretary of state may require the person who filed the information statement or the secured party to provide any additional relevant information, including an original or copy of wrongfully filed, the secretary of state shall terminate the record and the record shall be void and ineffective. The secretary of state shall notify the secured party named in the contested record of the termination."; **and**

Further amend said bill, Page 56, Section 479.020, Line 40, by inserting after all of said line the following:

“486.245. **1.** The county clerk shall keep a register, listing the name and address of each person to whom he awards a notary commission and the date upon which he awards the commission. Within thirty days after receiving a bond, signature and oath, the county clerk shall forward the bond, signature and oath to the secretary of state by certified mail. All such bonds, signatures and oaths shall be preserved permanently by the secretary of state.

2. The secretary of state shall maintain a database that includes but is not limited to information that is contained on each notary’s seal or any lost seal of a notary public.

486.275. **1.** At the time of notarization a notary public shall sign his **or her** official signature on each notary certificate.

2. If a signature or record is required to be notarized, acknowledged, verified, or made under oath, notwithstanding the provisions of section 486.285 to the contrary, the requirement is satisfied if the electronic signature of the person authorized to perform such acts, together with all other information required to be included, is attached to, or logically associated with the signature or record.

3. The secretary of state shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

486.285. **1. (1) A manufacturer of a notary public’s seal shall register with the secretary of state and communicate to the secretary of state when it has issued a seal to a person in this state. After such communication, the secretary of state shall approve any seal issued by the manufacturer within ten days.**

(2) A copy of the notary’s commission shall be maintained by such manufacturer.

(3) If a manufacturer violates the provisions of this subsection, the manufacturer shall be subject to a one thousand dollar fine for each violation.

2. Each notary public shall provide, keep, and use a seal which is either an engraved embosser seal or a black inked rubber stamp seal to be used on the document being notarized. The seal shall contain the notary’s name exactly as indicated on the commission and the words “Notary Seal”, “Notary Public”, and “State of Missouri” and, after August 28, 2004, the commission number assigned by the secretary of state, provided that the notary public has been issued a commission number by the secretary of state, all of which shall be in print not smaller than eight-point type.

[2.] **3.** The indentations made by the seal embosser or printed by the black inked rubber stamp seal shall not be applied on the notarial certificate or document to be notarized in a manner that will render illegible

or incapable of photographic reproduction any of the printed marks or writing on the certificate or document.

[3.] **4.** Every notary shall keep an official notarial seal that is the exclusive property of the notary and the seal may not be used by any other person or surrendered to an employer upon termination of employment.

486.305. **1.** Any notary public who loses or misplaces his **or her** journal of notarial acts or official seal shall [forthwith mail or deliver] **immediately provide written** notice of the fact to the secretary of state. **For a lost or misplaced official seal, upon receipt of the written notice, the secretary of state shall issue the notary a new commission number for the notary to order a new seal. The secretary of state may post notice on the secretary of state's website notifying the general public that the lost or misplaced notary seal and commission number of such notary is invalid and is not an acceptable notary commission number.**

2. If a notary public's official seal is destroyed, broken, damaged, or otherwise rendered inoperable, the notary shall immediately provide written notice of that fact to the secretary of state.

486.310. **1.** If any notary public no longer desires to be a notary public, he or she shall forthwith mail or deliver to the secretary of state a letter of resignation **and his or her notary seal**, and his or her commission shall thereupon cease to be in effect. **The secretary of state may post notice on the secretary of state's website notifying the general public that the notary is no longer a commissioned notary public in the state of Missouri.** If a notary public resigns following the receipt of a complaint by the secretary of state regarding the notary public's conduct, the secretary of state may deny any future applications by such person for appointment and commission as a notary public.

2. If any notary public seeks to amend his or her commission, he or she shall forthwith mail or deliver to the secretary of state his or her notary seal unless a person, business, or manufacturer alters the existing seal in compliance with subsection 4 of section 486.285.

486.375. Any person who acts as, or otherwise willfully impersonates, a notary public while not lawfully appointed and commissioned to perform notarial acts is guilty of a misdemeanor and punishable upon conviction by a fine not exceeding five hundred dollars or by imprisonment for not more than six months or both, **unless such act results in a fraudulent act involving property, such person shall be guilty of a class E felony .";** and

Further amend said bill, Page 62, in the first occurrence of Section 563.046, Line 22, by inserting after the word, "weapon" the words, **"or dangerous instrument "**; and

Further amend said bill and page, in the second occurrence of Section 563.046, Line 22, by inserting after the word, "weapon" the words, **"or dangerous instrument";** and

Further amend said bill, Page 77, Section 569.132, Line 44, by inserting after all of said line the following:

"570.095. 1. A person commits the crime of filing false documents if:

(1) He or she files, causes to be filed, or attempts to file, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, or transferred to the secretary of state or his or her designee, any county recorder of deeds or his or her

designee, any municipal, county, district, or state government entity or office, or any credit bureau or financial institution any of the following types of documents:

- (a) Common law lien;
 - (b) Uniform commercial code filing or record;
 - (c) Real property recording;
 - (d) Financing statement;
 - (e) Contract;
 - (f) Warranty, special, or quitclaim deed;
 - (g) Quiet title claim or action;
 - (h) Deed in lieu of foreclosure;
 - (i) Legal affidavit;
 - (j) Legal process;
 - (k) Legal summons;
 - (l) Bills and due bills;
 - (m) Criminal charging documents;
 - (n) Any other document not stated in this subdivision that is related to real property;
 - (o) Any state, county, municipal, or financial institution form not otherwise delineated in this section; and
- (2) Such documents listed in subdivision (1) of this subsection contain materially false information, or are fraudulent, or are a forgery, as defined in section 570.090, or lack the consent of all parties listed in documents where mutual consent is required, or are invalid under Missouri law.

2. Filing false documents under this section is a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017, for the first offense except under the following circumstances where filing false documents is a class C felony:

- (1) The defendant has been found guilty or pleaded guilty to a violation of this section;
- (2) The victim or named party in the matter:
 - (a) Is an official elected to municipal, county, district, or statewide office;
 - (b) Is an official who was appointed to municipal, county, district, or statewide office; or
 - (c) Is an employee of an official who has been elected or appointed to municipal, county, district, or statewide office;
- (3) The victim or named party in the matter is a judge or magistrate of:
 - (a) Any court or division of the court in this or any other state or an employee of any court of this state or any other state; or

(b) Any court system of the United States or is an employee of any court of the United States;

(4) The victim or named party in the matter is a full-time, part-time, or reserve or auxiliary peace officer licensed in this state or any other state; is an officer of federal job class 1811 who is empowered to enforce United States laws; or is a full-time or part-time firefighter in this state or any other state;

(5) The victim or named party in the matter is an employee of any law enforcement or legal prosecution agency in this state or any other state or is an employee of a federal agency that has agents or officers who are of job class 1811 who are empowered to enforce United States laws.

3. For a penalty enhancement as described in subsection 2 of this section to apply, the occupation of the victim or named party shall be material to the subject matter of the document or documents filed or the relief sought by the document or documents filed, and the occupation of the victim or named party shall be materially connected to the apparent reason that the victim has been named, victimized, or involved. For purposes of this subsection and subsection 2 of this section, a person who has retired or resigned from any agency, institution, or occupation listed in subsection 2 of this section shall be considered the same fashion as a person who remains in employment and shall also include the following family members of a person listed in subdivisions (2) to (5) of subsection 2 of this section:

(1) Such person's spouse;

(2) Such person or such person's spouse's ancestor or descendant by blood or adoption; or

(3) Such person's stepchild, while the marriage creating that relationship exists.

4. Any person who pleads guilty or is found guilty under subsections 1 to 3 of this section shall be ordered by the court to make full restitution to any person or entity that has sustained actual losses or costs as a result of the actions of the defendants. Such restitution shall not be paid in lieu of jail or prison time, but rather in addition to any jail or prison time imposed by the court.

5. (1) Nothing in this section shall limit the power of the state to investigate, charge, or punish any person for any conduct that constitutes a crime by any other statute of this state or the United States.

(2) There is no requirement under this section that the filing or record be retained by the receiving entity for prosecution under this section. A filing or record being rejected by the receiving entity shall not be used as an affirmative defense.

6. (1) Any statewide or county agency or similar agency that functions in independent cities of this state, which is responsible for or receives document filings or records, including county recorders of deeds and the secretary of state's office, shall, by January 1, 2017, impose a system in which the documents that have been submitted to the receiving agency or in the case of the secretary of state those filings rejected under its legal authority, are logged in a ledger, spreadsheet, note, or similar recording method when the filing or recording officer believes the filings or records appear to be fraudulent or contain suspicious verbiage. The receiving agency shall make available noted documents for review by the:

(a) Jurisdictional prosecuting or circuit attorney or his or her designee;

(b) Sheriff or his or her designee;

(c) County police chief or his or her designee;

(d) City police chief or his or her designee in independent cities; or

(e) Active or commissioned peace officers, as defined in section 590.010.

Review of such documents is permissible for the agent or agencies under this subdivision without the need of a grand jury subpoena or court order. No fees or monetary charges shall be levied on the investigative agents or agencies for review of documents.

(2) The receiving entity shall, upon receipt of a filing or record that has been noted as a suspicious filing or record, notify the chief law enforcement officer or his or her designee of the county and the prosecutor or his or her designee of the county of the filing's or record's existence within two business days of the filing or record having been received. This notification may be accomplished via electronic mail or via paper memorandum.

7. To petition for a judicial review of a filing or record that is believed to be fraudulent, false, misleading, forged, or contains materially false information, a petitioner may file a probable cause statement which delineates the cause to believe that the filing or record is materially false, contains materially false information, is a forgery, is fraudulent, or is misleading. This probable cause statement shall be filed in the associate or circuit court of the county in which the original filing or record was transferred, received, or recorded.

8. There shall be no requirement imposed by this section that the agency receiving the filing or record shall notify the person conducting the filing that the filing or record has been entered as a noted filing or record. If a filing or record is deemed invalid, court costs and fees are the responsibility of the party who initiated the filing or record. If the filing or record is deemed valid, no court costs or fees, in addition to standard filing fees, shall be assessed.

9. A filed petition under this section shall have an initial hearing date within twenty business days of the petition being filed with the court. A court ruling of "invalid" shall be evidence that the original filing or record was not accurate, true, or correct. A court ruling of "invalid" shall be retained or recorded at the original receiving entity. The receiving entity shall waive all filing or recording fees associated with the filing or recording of the court ruling document in this subsection. This ruling may be forwarded to credit bureaus or other institutions at the request of the petitioner via motion to the applicable court at no additional cost to the petitioner. "; and

Further amend said bill, Page 100, Section 577.014, Line 66, by inserting after all of said section and line the following:

"577.037. 1. Upon the trial of any person for any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content, the amount of alcohol in the person's blood at the time of the act, as shown by any chemical analysis of the person's blood, breath, saliva, or urine, is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible.

2. If a chemical analysis of the defendant's breath, blood, saliva, or urine demonstrates there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken. If a chemical analysis of the

defendant's breath, blood, saliva, or urine demonstrates that there was less than eight-hundredths of one percent of alcohol in the defendant's blood, any charge alleging a criminal offense related to the operation of a vehicle, vessel, or aircraft while in an intoxicated condition or with an excessive blood alcohol content shall be dismissed with prejudice unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.

3. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

4. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the person was intoxicated.

5. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 2 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health and senior services.

6. For any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content occurring on or between the dates of December 30, 2012, and April 4, 2014, notwithstanding any other provision of law or regulation, a relevant chemical analysis of a person's breath shall be admissible in all proceedings after the effective date of this act, if the standard simulator solutions used to verify and calibrate evidential breath analyzers, had a vapor concentration within five percent of the following values:

(1) 0.10%;

(2) 0.08%; or

(3) 0.04%;

and otherwise was in accordance with methods and standards approved by the state department of health and senior services. This provision is a procedural rule and applies to all actions in progress whether commenced before or after the effective date of this act. Such chemical breath analysis shall be admissible in all proceedings after the effective date of this act even if the offense occurred before the effective date of this act.

7. It is the intent of the legislature to reverse, overturn and abrogate earlier case law interpretations related to the admissibility of chemical breath analyses to include, but not be limited

to, holdings in *Stiers v. Dir. of Revenue*, No. SC4840 (Mo. Jan. 12, 2016); and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015).

577.037. 1. Upon the trial of any person for violation of any of the provisions of section 565.024, or section 565.060, or section 577.010 or 577.012, or upon the trial of any criminal action or violations of county or municipal ordinances or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302 arising out of acts alleged to have been committed by any person while driving a motor vehicle while in an intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, saliva or urine is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

3. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

4. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health and senior services.

5. Any charge alleging a violation of section 577.010 or 577.012 or any county or municipal ordinance prohibiting driving while intoxicated or driving under the influence of alcohol shall be dismissed with prejudice if a chemical analysis of the defendant's breath, blood, saliva, or urine performed in accordance with sections 577.020 to 577.041 and rules promulgated thereunder by the state department of health and senior services demonstrate that there was less than eight-hundredths of one percent of alcohol in the defendant's blood unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.

6. For any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content occurring on or between the dates of December 30, 2012, and April 4, 2014, notwithstanding any other provision of law or regulation, a relevant chemical analysis of a person's breath shall be admissible in all proceedings after the effective date of this act, if the standard

simulator solutions used to verify and calibrate evidential breath analyzers, had a vapor concentration within five percent of the following values:

- (1) 0.10%;
- (2) 0.08%; or
- (3) 0.04%;

and otherwise was in accordance with methods and standards approved by the state department of health and senior services. This provision is a procedural rule and applies to all actions in progress whether commenced before or after the effective date of this act. Such chemical breath analysis shall be admissible in all proceedings after the effective date of this act even if the offense occurred before the effective date of this act.

7. It is the intent of the legislature to reverse, overturn and abrogate earlier case law interpretations related to the admissibility of chemical breath analyses to include, but not be limited to, holdings in *Stiers v. Dir. of Revenue*, No. SC4840 (Mo. Jan. 12, 2016); and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015). “; and

Further amend said bill, Page 122, Section 650.058, Line 67, by inserting after all of said section and line the following:

“Section 1. 1. If a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

2. The secretary of state is hereby authorized to promulgate rules and regulations establishing procedures for an electronic notarization. “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Page 1, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

“Senate Bill No. 663, Pages 17 to 18, Section 211.059, Lines 1 - 45, by removing all of said section from the bill; and

Further amend said bill, Pages 60-61, Section 563.031, Lines 1 - 42, by deleting all of said lines and inserting in lieu thereof the following:”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 663, Pages 60-61, Section 563.031, Lines 1-42, by deleting all of said lines and inserting in lieu thereof the following:

“563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use physical force upon another person when and to the extent he or she reasonably believes such force to be necessary to defend himself or herself or a third person from what he or she reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

(1) The actor was the initial aggressor; except that in such case his or her use of force is nevertheless justifiable provided:

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or threatened use of unlawful force; or

(b) He or she is a law enforcement officer and as such is an aggressor pursuant to section 563.046; or

(c) The aggressor is justified under some other provision of this chapter or other provision of law;

(2) Under the circumstances as the actor reasonably believes them to be, the person whom he or she seeks to protect would not be justified in using such protective force;

(3) The actor was attempting to commit, committing, or escaping after the commission of a forcible felony.

2. A person may not use deadly force upon another person under the circumstances specified in subsection 1 of this section unless:

(1) He or she reasonably believes that such deadly force is necessary to protect himself, or herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

(2) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such person; or

(3) Such force is used against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter private property that is owned or leased by an individual, **or is occupied by an individual who has been given specific authority by the property owner to occupy the property**, claiming a justification of using protective force under this section.

3. A person **who is not engaged in an unlawful activity** does not have a duty to retreat from [a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to retreat from private property that is owned or leased by such individual] **any place he or she has a right to be** .

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 869**, entitled:

An Act to repeal sections 67.1471, 70.210, 99.805, 99.820, 99.825, 99.845, and 347.048, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 869, Page 22, Section 99.845, Line 335, by inserting after all of said section and line the following:

“105.470. As used in section 105.473, unless the context requires otherwise, the following words and terms mean:

(1) “Elected local government official lobbyist”, any natural person employed specifically for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village **or any superintendent or school board member of a school district or any member of the governing body of a charter school** with an annual operating budget of over ten million dollars;

(2) “Executive lobbyist”, any natural person who acts for the purpose of attempting to influence any action by the executive branch of government or by any elected or appointed official, employee, department, division, agency or board or commission thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment on behalf of or for the benefit of such person’s employer; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the executive branch of state government in connection with such activity.

An “executive lobbyist” shall not include a member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state board, commission, department, division or agency of the executive branch of government or any elected or appointed officer or employee thereof;

b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any public document, permit or contract, any application for any permit or license or certificate, or any document required or requested to be filed with the state or a political subdivision;

c. Selling of goods or services to be paid for by public funds, provided that such person is attempting to influence only the person authorized to authorize or enter into a contract to purchase the goods or services being offered for sale;

d. Participating in public hearings or public proceedings on rules, grants, or other matters;

e. Responding to any request for information made by any public official or employee of the executive branch of government;

f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

g. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee; or

h. Testifying as a witness before a state board, commission or agency of the executive branch;

(3) “Expenditure”, any payment made or charge, expense, cost, debt or bill incurred; any gift[, honorarium] or item of value bestowed including any food or beverage; any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible cost or fair market value from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge; except that the term “expenditure” shall not include the following:

(a) Any item, service or thing of value transferred to any person within the third degree of consanguinity **or affinity** of the transferor which is unrelated to any activity of the transferor as a lobbyist;

(b) Informational material such as books, reports, pamphlets, calendars or periodicals informing a public official regarding such person’s official duties, or souvenirs or mementos valued at less than ten dollars;

(c) Contributions to the public official’s campaign committee or candidate committee which are reported pursuant to the provisions of chapter 130;

(d) Any loan made or other credit accommodations granted or other payments made by any person or entity which extends credit or makes loan accommodations or such payments in the regular ordinary scope and course of business, provided that such are extended, made or granted in the ordinary course of such person’s or entity’s business to persons who are not public officials;

(e) Any item, service or thing of de minimis value offered to the general public, whether or not the recipient is a public official or a staff member, employee, spouse or dependent child of a public official, and only if the grant of the item, service or thing of de minimis value is not motivated in any way by the recipient’s status as a public official or staff member, employee, spouse or dependent child of a public official;

(f) The transfer of any item, provision of any service, or granting of any opportunity with a reasonably discernible cost or fair market value when such item, service, or opportunity is necessary for a public official or employee to perform his or her duty in his or her official capacity, including but not limited to

entrance fees to any sporting event, museum, or other venue when the official or employee is participating in a ceremony, public presentation or official meeting therein;

(g) Any payment, gift, compensation, fee, expenditure or anything of value which is bestowed upon or given to any public official or a staff member, employee, spouse or dependent child of a public official when it is compensation for employment or given as an employment benefit and when such employment is in addition to their employment as a public official;

(h) Any plaque or award that signifies the honorary recognition of a service or other notable accomplishment, provided such plaque or award does not exceed fifty dollars;

(4) “Judicial lobbyist”, any natural person who acts for the purpose of attempting to influence any purchasing decision by the judicial branch of government or by any elected or appointed official or any employee thereof and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment which primary purpose is to influence the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such person’s employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation or association; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the judicial branch of state government in connection with attempting to influence such purchasing decisions by the judiciary.

A “judicial lobbyist” shall not include a member of the general assembly, an elected state official, or any other person solely due to such person’s participation in any of the following activities:

a. Appearing or inquiring in regard to a complaint, citation, summons, adversary proceeding, or contested case before a state court;

b. Participating in public hearings or public proceedings on rules, grants, or other matters;

c. Responding to any request for information made by any judge or employee of the judicial branch of government;

d. Preparing, distributing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

e. Acting within the scope of employment by the general assembly, or acting within the scope of employment by the executive branch of government when acting with respect to the department, division, board, commission, agency or elected state officer by which such person is employed, or with respect to any duty or authority imposed by law to perform any action in conjunction with any other public official or state employee;

(5) “Legislative lobbyist”, any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment,

nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

(6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

(7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

(8) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency head, department director or division director of state government or any member of any state board or commission and any designated decision-making public servant designated by persons described in this subdivision.

[105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in

whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date, location, and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited in writing:

- a. All members of the senate, which may or may not include senate staff and employees under the direct supervision of a state senator;
 - b. All members of the house of representatives, which may or may not include house staff and employees under the direct supervision of a state representative;
 - c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate, which may or may not include joint and standing committee staff;
 - d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate;
 - e. All statewide officials, which may or may not include the staff and employees under the direct supervision of the statewide official;
 - (e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence and except for any expenditure reported under paragraph (d) of this subdivision;
 - (f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.
4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.
5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.
6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. Any lobbyist found to knowingly omit, conceal, or falsify in any manner information required pursuant to this section shall be guilty of a class A misdemeanor.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under the penalties of perjury, along with a filing fee of ten dollars, with the commission. The forms shall include the lobbyist's name and business address, the name and address of all persons such lobbyist employs for lobbying purposes, the name and address of each lobbyist principal by whom such lobbyist is employed or in whose interest such lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which shall be open to the public. Each lobbyist shall file an updating statement under oath within one week of any addition, deletion, or change in the lobbyist's employment or representation. The filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or a lobbyist employing

another person for lobbying purposes may notify the commission that a judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the lobbyist and should be removed from the commission's files.

2. Each person shall, before giving testimony before any committee of the general assembly, give to the secretary of such committee such person's name and address and the identity of any lobbyist or organization, if any, on whose behalf such person appears. A person who is not a lobbyist as defined in section 105.470 shall not be required to give such person's address if the committee determines that the giving of such address would endanger the person's physical health.

3. (1) During any period of time in which a lobbyist continues to act as an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the lobbyist shall file with the commission on standardized forms prescribed by the commission monthly reports which shall be due at the close of business on the tenth day of the following month;

(2) Each report filed pursuant to this subsection shall include a statement, verified by a written declaration that it is made under the penalties of perjury, setting forth the following:

(a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all public officials, their staffs and employees, and their spouses and dependent children, which expenditures shall be separated into at least the following categories by the executive branch, judicial branch and legislative branch of government: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; honoraria; meals, food and beverages; and gifts;

(b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on behalf of all elected local government officials, their staffs and employees, and their spouses and children. Such expenditures shall be separated into at least the following categories: printing and publication expenses; media and other advertising expenses; travel; the time, venue, and nature of any entertainment; [honoraria;] meals; food and beverages; and gifts;

(c) An itemized listing of the name of the recipient and the nature and amount of each expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of value, for all expenditures made during any reporting period, paid or provided to or for a public official or elected local government official, such official's staff, employees, spouse or dependent children;

(d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions and the identity of the group invited, the date and description of the occasion and the amount of the expenditure for each occasion when any of the following are invited **seventy-two hours in advance using the same communication medium and** in writing:

a. All members of the senate, **which may or may not include staff and employees;**

b. All members of the house of representatives, **which may or may not include staff and employees;**
or

c. All members of [a joint committee of] the general assembly [or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the majority party of the house of representatives, minority party of the house of representatives, majority party of the senate, or minority party of the senate] **which may or may not include staff and employees;**

(e) Any expenditure made on behalf of a public official, an elected local government official or such official's staff, employees, spouse or dependent children, if such expenditure is solicited by such official, the official's staff, employees, or spouse or dependent children, from the lobbyist or his or her lobbyist principals and the name of such person or persons, except any expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization or other association formed to provide for good in the order of benevolence;

(f) A statement detailing any direct business relationship or association or partnership the lobbyist has with any public official or elected local government official. The reports required by this subdivision shall cover the time periods since the filing of the last report or since the lobbyist's employment or representation began, whichever is most recent.

4. No expenditure reported pursuant to this section shall include any amount expended by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to this section shall be valued on the report at the actual amount of the payment made, or the charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of such lobbyists. No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.

5. Any lobbyist principal shall provide in a timely fashion whatever information is reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by this section.

6. All information required to be filed pursuant to the provisions of this section with the commission shall be kept available by the executive director of the commission at all times open to the public for inspection and copying for a reasonable fee for a period of five years from the date when such information was filed.

7. No person shall knowingly employ any person who is required to register as a registered lobbyist but is not registered pursuant to this section. Any person who knowingly violates this subsection shall be subject to a civil penalty in an amount of not more than ten thousand dollars for each violation. Such civil penalties shall be collected by action filed by the commission.

8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information required pursuant to this section.

9. The prosecuting attorney of Cole County shall be reimbursed only out of funds specifically appropriated by the general assembly for investigations and prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year

to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked “Under Review”.

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.

14. (1) No lobbyist, lobbyist principal, or any other person acting on behalf of a lobbyist or lobbyist principal, shall make any expenditure on behalf of a public official of the state, or such public official’s staff, spouse, or dependent children, unless it is for the purpose of providing a meal. No lobbyist, lobbyist principal, or any other person acting on behalf of a lobbyist or lobbyist principal, shall spend more than forty dollars on expenditures on any calendar day on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children. For purposes of this subsection, the term “meal” shall include any occasion on which any type of food or beverage is consumed.

(2) For purposes of this subsection, no lobbyist, lobbyist principal, or person acting on behalf of a lobbyist or lobbyist principal shall combine or join in making a payment for an expenditure for a single occasion on behalf of any public official of the state, or such public official’s staff, spouse, or dependent children.

(3) The expenditure limitation in subdivision (1) of this subsection shall not apply to expenditures reported under paragraph (d) of subdivision (2) of subsection 3 of this section.

(4) Violations of this subsection shall not be subject to criminal penalties, but shall be enforced by the Missouri ethics commission in the manner provided in sections 105.955 to 105.981.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 732**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 732**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 867**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 867**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1696** and has taken up and passed **SCS** for **HCS** for **HB 1696**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 921**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 921**.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 627**, as amended: Senators Nasheed, Schupp, Romine, Pearce and Riddle.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 765**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 765

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, with House Amendment No. 1, House Amendment Nos. 1 and 2 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment Nos. 10 and 11, House Amendment Nos. 1, 2, and 3 to House Amendment No. 12, and House Amendment No. 12 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 765;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt
/s/ Mike Cunningham
/s/ Bob Dixon
/s/ Joseph P. Keaveny
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Robert Cornejo
/s/ Joe Don McGaugh
/s/ Paul Curtman
/s/ Tracy McCreery
/s/ Joe Adams

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Schmitt, **CCS** for **HCS** for **SCS** for **SB 765**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 765

An Act to repeal sections 67.145, 221.407, and 610.100, RSMo, section 575.320 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 575.320 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and to enact in lieu thereof five new sections relating to public safety, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Brown moved that **HCS** for **HCR 73** be taken up for adoption, which motion prevailed.

Senator Brown offered **SS** for **HCS** for **HCR 73**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 73

Relating to the designation of certain awareness months.

Whereas, cystic fibrosis, commonly referred to as "CF", is a genetic disease affecting approximately 30,000 children and adults in the United States and nearly 70,000 children and adults worldwide, 717 of whom live in Missouri; and

Whereas, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

Whereas, more than 10 million Americans are symptomless carriers of the defective CF gene, and CF occurs in approximately one of every 3,500 live births in the United States; and

Whereas, the median age of survival for a person with CF is 39.3 years; and

Whereas, with advances in the treatment of CF, the number of adults with CF has steadily grown, and approximately 900 new cases of CF are diagnosed each year; and

Whereas, fifty percent of the CF population is 18 years of age and older, and people with CF have a variety of symptoms attributed to the more than 1,800 mutations of the CF gene; and

Whereas, infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

Whereas, early diagnosis of CF permits early treatment and enhances quality of life and longevity and the treatment of CF depends on the stage of the disease and the organs involved; and

Whereas, clearing mucus from the lungs is an important part of the daily CF treatment regimen, and other types of treatments include inhaled antibiotics and pancreatic enzymes, among others; and

Whereas, there are 8 world-class treatment centers in Missouri which specialize in the diagnosis of CF and the care of persons with CF; and

Whereas, a critical component of treating patients with CF includes access to innovative treatments, which can play a crucial role in the lives of patients with CF; and

Whereas, improving the length and quality of life for people with CF starts with awareness; and

Whereas, the brachial plexus is a network of nerves that conducts signals from the spine to the shoulder, arm, and hand; and

Whereas, injury to these nerves can result in lack of muscle control or feeling in the arm or hand, including Erb's palsy:

Now Therefore Be It Resolved that the members of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate the month of May of each year as "Cystic Fibrosis Awareness Month" and the month of October of each year as "Brachial Plexus Awareness Month in Missouri.

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to send a properly inscribed copy of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Senator Brown moved that **SS** for **HCS** for **HCR 73** be adopted.

Senator Schaaf assumed the Chair.

At the request of Senator Brown, the above motion was withdrawn.

PRIVILEGED MOTIONS

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 997**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 997**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 997, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 997, as amended;
2. That the Senate recede from its position on Senate Bill No. 997;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 997, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Ed Emery
/s/ Gary Romine
/s/ Maria Chappelle-Nadal
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Steve Cookson
/s/ Dean Dorhman
/s/ Donna Lichtenegger
/s/ Kip Kendrick
/s/ Lauren Arthur

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None**Absent—Senators**

Keaveny Kehoe—2

Absent with leave—Senators—None**Vacancies—2**

On motion of Senator Pearce, **CCS** for **HCS** for **SB 997**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 997

An Act to repeal sections 103.003, 103.079, 167.223, 173.005, 173.234, and 178.780, RSMo, and to enact in lieu thereof nineteen new sections relating to higher education, with an emergency clause for certain sections, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Keaveny Kehoe—2

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Keaveny Kehoe—2

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Nasheed, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 833**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 833

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 833, with House Amendments Nos. 1, 2, 3, 4, and 6 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 833, as amended;
2. That the Senate recede from its position on Senate Bill No. 833;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 833 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jamilah Nasheed
/s/ Jason Holsman
/s/ Mike Cunningham
/s/ Wayne Wallingford
/s/ Ryan Silvey

FOR THE HOUSE:

/s/ Travis Fitzwater
/s/ Joe Don McGaugh
/s/ Justin Hill
Jeremy LaFaver
Bill Otto

Senator Nasheed moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schupp—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Nasheed, **CCS** for **HCS** for **SB 833**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 833

An Act to repeal sections 313.800, 313.817, 327.272, 381.022, and 381.058, RSMo, and to enact in lieu thereof ten new sections relating to financial transactions, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schupp—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 735**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 735

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 735, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 735, as amended;
2. That the Senate recede from its position on Senate Bill No. 735;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 735, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
/s/ David Pearce
/s/ Ryan Silvey
/s/ Jill Schupp
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Robert Cornejo
/s/ Joe Don McGaugh
/s/ Elijah Haahr
/s/ Mike Colona
/s/ Gina Mitten

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, **CCS** for **HCS** for **SB 735**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 735

An Act to repeal sections 477.650, 600.042, 600.090, and 600.101, RSMo, and section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, and to enact in lieu thereof five new sections relating to judicial proceedings, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Keaveny	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Emery—1

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 608**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 608

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 608, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12, House Amendment No. 1 to House Amendment No. 13, House Amendment No. 13 as amended, House Amendment Nos. 14 and 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 608, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 608;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 608, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater

/s/ Gary Romine

/s/ Bob Onder

Jill Schupp

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Sue Allen

/s/ Marsha Haefner

/s/ Kevin Engler

Gina Mitten

Kip Kendrick

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Kraus	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Sater, **CCS No. 2** for **HCS** for **SS** for **SB 608**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 608

An Act to repeal sections 167.638, 174.335, 197.315, 208.152, 208.952, 208.985, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 338.200, 376.1235, 376.1237, and 536.031, RSMo, and to enact in lieu thereof forty-five new sections relating to health care, with a contingent effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Kraus	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **SB 988**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 988

The Conference Committee appointed on Senate Bill No. 988, with House Amendment Nos. 1, 2, & 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 988, as amended;
2. That the Senate recede from its position on Senate Bill No. 988;

3. That the attached Conference Committee Substitute for Senate Bill No. 988 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
 /s/ Dan Brown
 /s/ Bob Onder
 /s/ Scott Sifton
 /s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Keith Frederick
 /s/ Jim Neely
 /s/ Bill White
 /s/ Jeanne Kirkton
 /s/ Lauren Arthur

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, **CCS for SB 988**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 988**

An Act to repeal sections 190.060, 190.241, and 197.315, RSMo, and to enact in lieu thereof six new sections relating to health care providers, with an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senator Schaaf—1

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Brown moved that **HCS** for **HCR 73**, with **SS** (pending), be again taken up for adoption, which motion prevailed.

SS for **HCS** for **HCR 73** was again taken up.

Senator Brown moved that **SS** for **HCS** for **HCR 73** be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **HCS** for **HCR 73** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the concurrent resolution passed.

On motion of Senator Brown, title to the concurrent resolution was agreed to.

Senator Brown moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Dixon moved that **SS** for **SCS** for **SB 663**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 663**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 663

An Act to repeal sections 43.545, 57.111, 192.2260, 192.2405, 211.059, 217.670, 217.690, 301.559, 302.440, 302.535, 304.351, 311.310, 327.272, 339.100, 400.9-501, 455.543, 455.545, 476.083, 477.650, 478.705, 479.020, 563.031, 565.030, 565.032, 565.040, 566.210, 566.211, 566.212, 566.213, 569.132, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 571.111, 577.013, 577.014, 578.005, 578.007, 578.011, 578.022, 578.416, 579.015, 595.209, 595.226, 600.042, 600.090, 600.101, 610.026, 610.100, 632.520, and 650.058, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 217.360 as enacted by senate bill no. 399, ninety-second general assembly, first regular session, section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, section 302.309 as enacted by senate bill no. 23, ninety-seventh general assembly, first regular session, section 476.055 as enacted by house bill no. 1245 merged with house bill no. 1371, ninety-seventh general assembly, second regular session, section 556.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.046 as enacted by senate bill no. 223, ninety-first general assembly, first regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, section 566.209 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 566.209 as enacted by house bill no. 214, ninety-sixth general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section

574.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 574.010 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010 and 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof eighty-five new sections relating to the administration of justice, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Senator Dixon moved that **HCS** for **SS** for **SCS** for **SB 663** be adopted.

At the request of Senator Dixon the above motion was withdrawn.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HB 2566**—Education.

HCS for **HB 1605**—Ways and Means.

HCS for **HJR 98**—Seniors, Families and Children.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report #2 on **HCS** for **SS** for **SCS** for **SB 572**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SS** for **SCS** for **SB 572**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 638**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 638**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 607**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 607**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 823**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 823**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 786**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 786**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HJR 53** and has taken up and passed **SS** for **HJR 53**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 852**, as amended, and has taken up and passed **CCS** for **SB 852**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 625**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 625**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 861**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 861**.

Bill ordered enrolled.

VETOED BILLS

President Pro Tem Richard assumed the Chair.

Senator Kehoe assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Kehoe assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Brown moved that **SS** for **HCS** for **HB 1891** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Sater	Schaaf	Schaefer	Schatz	Schmitt	Wallingford	Wasson

Wieland—22

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Romine	Schupp
Sifton	Silvey	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

RESOLUTIONS

Senator Richard offered Senate Resolution No. 2221, regarding Joplin Museum Complex, which was adopted.

Senator Brown offered Senate Resolution No. 2222, regarding the Seventieth Anniversary of the Tacony Corporation, which was adopted.

Senator Emery offered Senate Resolution No. 2223, regarding Marilyn Kay (Wainscott) Mammen, Lamar, which was adopted.

Senator Sifton offered Senate Resolution No. 2224, regarding Colin Darnell, which was adopted.

Senator Parson offered Senate Resolution No. 2225, regarding City of Humansville, which was adopted.

Senator Parson offered Senate Resolution No. 2226, regarding the Fiftieth Wedding Anniversary of Don and Sue Gooding, Fair Play, which was adopted.

Senator Parson offered Senate Resolution No. 2227, regarding the Fiftieth Wedding Anniversary of Charles and Marva Smith, Sedalia, which was adopted.

Senator Riddle offered Senate Resolution No. 2228, regarding Stuart Miller, which was adopted.

Senator Sater offered Senate Resolution No. 2229, regarding Eagle Scout Joseph Leo Herberger, Goodman, which was adopted.

Senator Sater offered Senate Resolution No. 2030, regarding Connie McGriff, Hollister, which was adopted.

Senator Walsh offered Senate Resolution No. 2031, regarding Carol D. McCauley, Florissant, which was adopted.

Senator Kraus offered Senate Resolution No. 2232, regarding Eagle Scout Evan Jay Cook, Lee's Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 2233, regarding Rachael Palmer, Ste. Genevieve, which was adopted.

Senator Brown offered Senate Resolution No. 2234, regarding Danette Sherrell, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 2235, regarding City of Cuba, which was adopted.

Senator Kehoe offered Senate Resolution No. 2236, regarding Julie Lynn Scheppers, Jefferson City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Walsh introduced to the Senate, the Physicians of the Day, Dr. Sam and Dr. Amy Cababe, Clayton.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTIETH DAY-FRIDAY, MAY 13, 2016

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 998-Romine (In Fiscal Oversight)
SCS for SBs 857 & 712-Romine
(In Fiscal Oversight)

SS for SCS for SB 788-Schatz
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1111-Brown
SB 795-Wallingford, with SCS

SB 1076-Parson, with SCS

HOUSE BILLS ON THIRD READING

HB 1855-Allen (Schaaf) (In Fiscal Oversight)
HCS for HBs 1366 & 1878, with SCS
(Schaefer) (In Fiscal Oversight)
HCS for HBs 1589 & 2307, with SCS
(Emery) (In Fiscal Oversight)

HB 1585-Hill (Munzlinger)
HB 1620-Kelley (Schmitt)
HCS for HJR 54 (Riddle)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 783-Onder

SENATE BILLS FOR PERFECTION

SB 575-Schaefer, with SCS, SS for SCS &
SA 1 (pending)
SB 580-Schaaf, with SCS & SA 2 (pending)

SB 596-Kraus, with SCS
SB 622-Romine, with SCS
SB 644-Onder, with SCS

SCS for SBs 662 & 587-Dixon	SB 898-Cunningham
SB 680-Emery	SB 908-Sater, with SCS
SB 686-Wallingford, with SCS	SB 916-Schaefer
SB 706-Dixon	SB 920-Schmitt and Kraus
SB 719-Emery, with SCS	SB 951-Wasson, with SA 1 (pending)
SB 733-Dixon	SB 964-Wallingford, with SCS (pending)
SB 734-Dixon	SB 966-Schaaf
SB 771-Onder	SB 972-Silvey
SB 772-Onder, with SCS	SB 980-Keaveny, with SCS, SS for SCS, SA 1 & SA 3 to SA 1 (pending)
SB 774-Schmitt	SB 995-Riddle
SB 775-Schaefer	SB 1003-Onder
SB 785-Schaefer, with SCS, SS for SCS, SA 1, SSA 1 for SA 1, SA 1 to SSA 1 for SA 1 & point of order (pending)	SB 1004-Onder
SBs 789 & 595-Wasson, with SCS	SB 1005-Walsh
SB 792-Richard	SBs 1010, 958 & 878-Curls, with SCS
SB 793-Richard	SB 1012-Dixon
SB 798-Kraus, with SCS	SB 1014-Dixon
SB 802-Sater	SB 1026-Schatz, with SCS
SB 805-Onder, with SCS	SB 1028-Silvey, et al, with SCS
SB 806-Onder, with SCS	SB 1033-Pearce
SB 812-Keaveny	SB 1066-Curls
SB 816-Wieland, et al	SB 1074-Schmitt, with SCS
SB 825-Munzlinger, with SA 1 (pending)	SB 1075-Wallingford
SB 830-Wasson, with SCS	SB 1085-Pearce
SB 848-Emery, with SCS	SB 1091-Riddle
SBs 851 & 694-Brown, with SCS	SB 1094-Kehoe, with SCS
SB 853-Brown	SB 1096-Dixon and Keaveny, with SS (pending)
SB 858-Romine, with SCS & SS for SCS (pending)	SB 1117-Wasson, with SCS
SB 868-Wasson	SB 1120-Hegeman, et al
SB 871-Wallingford	SB 1131-Sifton
SB 883-Riddle	SB 1144-Brown
SB 894-Munzlinger, with SS (pending)	SJR 23-Sater, with SS (pending)
SB 896-Hegeman	SJR 35-Kraus, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1433, with SCS (Sater)	HB 1452-Hoskins, with SCS (Pearce)
HCS for HB 1451, with SCS (Pearce)	HCS for HB 1463 (Kraus)

HCS for HB 1464, with SCS (pending) (Brown)	HCS for HB 1898 (Emery)
HB 1472-Dugger, with SS & SA 4 (pending) (Dixon)	HCS for HB 1904, with SCS & SS for SCS (pending) (Wallingford)
HB 1478-Entlicher, with SCS (Pearce)	HCS for HB 1912, with SCS & SS for SCS (pending) (Schatz)
HB 1479-Entlicher (Romine)	HCS for HB 1930 (Riddle)
HB 1534-Flanigan, with SCS (Schaefer)	HCS for HB 2038 (Munzlinger)
HB 1575-Rowden, with SCA 1 (Munzlinger)	HB 2104-Alferman, with SCS (Schmitt)
HB 1588-Franklin, with SCS (Parson)	HB 2111-Eggleston (Sater)
HB 1619-McCaherty (Dixon)	HB 2166-Alferman, with SCS, SS#2 for SCS, SA 5 & SA 1 to SA 5 (pending) (Onder)
HB 1643-Hicks (Brown)	HCS for HB 2187, with SCS (pending) (Cunningham)
HCS for HB 1658 (Onder)	HCS for HB 2202, with SCS (Dixon)
HCS for HB 1675, with SCS (pending) (Munzlinger)	HB 2226-Barnes (Silvey)
HB 1678-Solon, with SCS (Pearce)	HB 2230-Ross (Schatz)
HCS for HB 1695, with SCS & SS for SCS (pending) (Wasson)	HCS for HBs 2234 & 1985 (Pearce)
HB 1716-Lichtenegger, with SCS (Munzlinger)	HB 2257-Jones, with SCS (Wieland)
HCS for HB 1718 (Romine)	HCS for HB 2332, with SCS, SS for SCS, SA 1 & point of order (pending) (Dixon)
HCS for HB 1729 (Munzlinger)	HCS for HB 2397 (Cunningham)
HB 1745-Brattin, with SCS (Schatz)	HCS for HB 2402, with SCS & SA 1 (pending) (Pearce)
HCS for HB 1759, with SCS (Dixon)	HB 2429-Dohrman, with SCS (Parson)
HCS for HB 1776 (Romine)	HCS for HB 2445 (Libla)
HCS for HBs 1780 & 1420 (Pearce)	HCS for HB 2496 (Hegeman)
HB 1786-Pike, with SCS (Pearce)	HB 2590-Plocher, with SCS (Keaveny)
HB 1795-Haefner, with SCS (Sater)	HCS for HB 2689, with SS, SA 1 & SSA 1 for SA 1 (pending) (Silvey)
HCS for HB 1804, with SCS & SA 1 (pending) (Emery)	HJR 58-Brown (57) (Romine)
HCS for HB 1850 (Wasson)	
HB 1892-Rehder, with SS & SA 1 (pending) (Schatz)	

CONSENT CALENDAR

House Bills

Reported 4/14

HB 2195-Hoskins (Pearce)	HB 1538-Vescovo (Wieland)
HB 1539-Vescovo (Wieland)	HB 2183-Roeber (Curls)

HB 2480-Justus (Sater)

HB 1388-Roeber (Dixon)

HB 1473-Dugger, with SCS (Wasson)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 573-Schmitt, with HCS, as amended
 SS for SCS for SB 663-Dixon, with HCS,
 as amended
 SB 676-Sater, with HCS, as amended
 SCS for SBs 688 & 854-Romine, with HCS,
 as amended

SB 831-Wasson, with HCS, as amended
 SB 869-Schmitt, with HCS, as amended
 SB 897-Hegeman, with HA 1, HA 2, HA 4 &
 HA 5
 SS for SB 937-Wallingford, with HCS, as
 amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SB 608-Sater, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SS for SB 621-Romine, with HCS, as amended
 SB 627-Nasheed, with HA 1, HA 2, HA 3,
 HA 4, as amended, HA 5 & HA 6
 (Further conference granted)
 SB 635-Hegeman, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 639-Riddle, with HCS, as amended
 SB 640-Schatz, with HCS, as amended
 SCS for SB 650-Pearce, with HA 1, HA 2,
 HA 3, HA 4, HA 5, HA 6, HA 7, HA 8,
 as amended & HA 9 (Further conference granted)
 SB 656-Munzlinger, with HCS, as amended
 SB 677-Sater, with HCS, as amended
 SCS for SB 703-Munzlinger, with HCS, as
 amended
 SB 735-Dixon, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 765-Schmitt and Nasheed, with
 HCS, as amended (Senate adopted CCR
 and passed CCS)

SS for SB 799-Kraus, with HCS, as amended
 SB 833-Nasheed, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 864-Sater, with HCS, as amended
 SB 873-Pearce, with HCS, as amended
 SCS for SB 973-Wasson, with HCS, as
 amended (Senate adopted CCR and
 passed CCS)
 SS for SCS for SB 986-Brown, with HCS,
 as amended (Senate adopted CCR and
 passed CCS)
 SB 988-Kraus, with HA 1, HA 2, HA 3, HA 4,
 as amended & HA 5 (Senate adopted
 CCR and passed CCS)
 SB 994-Munzlinger, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 996-Pearce, with HCS, as amended
 SB 997-Pearce, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 HCS for HB 1584, with SCS, as amended
 (Schmitt) (House adopted CCR and passed CCS)

RESOLUTIONS

Reported from Committee

SCRs 53 & 44-Schaefer, with SCS
SCR 54-Walsh
SCR 55-Holsman
SCR 56-Brown
SCR 59-Emery
SCR 60-Curls
SCR 61-Parson
SCR 63-Curls and Munzlinger
SCR 68-Schupp

SR 2062-Pearce
SR 2196-Emery, with SCS
SR 2215-Sater
SR 2216-Cunningham, with SCS
HCS for HCR 57 (Schaefer)
HCR 61-Engler (Dixon)
HCR 63-Taylor (Wieland)
HCR 69-Miller (Brown)

MISCELLANEOUS

CCS for SCS for HCS for HB 2 (Schaefer)
(Section 2.030/Appropriation 9235)

CCS for SCS for HCS for HB 10 (Schaefer)
(Section 10.710/Appropriation 9859)

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTIETH DAY—FRIDAY, MAY 13, 2016

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...Well done, good and faithful servant.” (Matthew 25:23)

Wondrous God, the hours are numbered and there is much yet to do. So we pray that You will be with us as the final bills are perfected and we shall know that with Your guidance we have done what You expected of us. We give You special thanks for those senators who will be leaving us, for their talents and time and themselves. May You be with them as they undertake new adventures and opportunities to serve You in new venues. And bless us as we return to loved ones having time for them and the joy it brings us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times, KRCG-TV, St. Louis Public Radio, MissouriNet, The Daily Star-Journal, Missouri Digital News, The Post Dispatch, KOMU-TV and KTVI-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

The Senate observed a moment of silence for Richard Prescott Sifton, Sr.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 2237, regarding George Adam Chase, Ballwin, which was adopted.

Senator Pearce offered Senate Resolution No. 2238, regarding Kyler Cliffman, Nevada, which was adopted.

Senator Cunningham offered Senate Resolution No. 2239, regarding Brent Kell, Houston, which was adopted.

Senator Cunningham offered Senate Resolution No. 2240, regarding Tom Cline, Pontiac, which was adopted.

Senator Romine offered Senate Resolution No. 2241, regarding Kathleen Marie Roubidoux, Festus, which was adopted.

Senator Onder offered Senate Resolution No. 2242, regarding Kelcie Dees, which was adopted.

Senator Dixon offered Senate Resolution No. 2243, regarding Reverend Dr. Edward L. Alexander, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 12:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 635**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 635**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HB 1941** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1941**.

PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 656**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 656

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 656, with House Amendments Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 656, as amended;
2. That the Senate recede from its position on Senate Bill No. 656;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ Bob Onder

/s/ Jeanie Riddle

Jill Schupp

Jamilah Nasheed

FOR THE HOUSE:

/s/ Eric Burlison

/s/ Robert Ross

/s/ Jered Taylor (139th)

Judy Morgan

Stacey Newman

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

President Pro Tem Richard assumed the Chair.

President Kinder assumed the Chair.

On motion of Senator Munzlinger, **CCS** for **HCS** for **SB 656**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 656

An Act to repeal sections 50.535, 563.031, 571.030, 571.101 571.104, 571.111, and 571.126, RSMo,

and to enact in lieu thereof fourteen new sections relating to weapons, with penalty provisions, an emergency clause for a certain section, and an effective date for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schmitt assumed the Chair.

Senator Keaveny assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HCS** for **HB 2332**, with **SCS**, **SS** for **SCS**, **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Schaefer, **SA 1** was withdrawn, rendering the point of order moot.

SS for **SCS** for **HCS** for **HB 2332** was again taken up.

At the request of Senator Dixon, **SS** for **SCS** for **HCS** for **HB 2332** was withdrawn.

Senator Dixon offered **SS No. 2** for **SCS** for **HCS** for **HB 2332**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2332

An Act to repeal sections 192.2260, 192.2405, 301.559, 339.100, 400.9-501, 562.014, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, 578.007, 579.015, and 632.520, RSMo, section 192.2410 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, section 557.021 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, section 565.188 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 569.090 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by senate bill no. 254, ninety-eighth general assembly, first regular session, sections 577.010, 577.012, 577.013, and 577.014 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.037 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof thirty-two new sections relating to restructuring the Missouri criminal code, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

Senator Dixon moved that **SS No. 2** for **SCS** for **HCS** for **HB 2332** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 2332, Pages 51-59, Section 571.030, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS No. 2** for **SCS** for **HCS** for **HB 2332**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **HCS** for **HB 2332**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wieland—25			

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kraus	Schaaf	Wasson—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 1534, introduced by Representative Flanigan, with **SCS**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

Was taken up by Senator Schaefer.

SCS for **HB 1534**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1534

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes.

Was taken up.

Senator Schaefer moved that **SCS** for **HB 1534** be adopted, which motion failed.

On motion of Senator Schaefer, **HB 1534** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wieland—29

NAYS—Senators—None

Absent—Senators

Dixon Riddle Wasson—3

Absent with leave—Senators—None

Vacancies—2

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 2335** and has taken up and passed **SCS** for **HB 2335**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1582** and has taken up and passed **SCS** for **HB 1582**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **SS#2** for **SCS** for **HCS** for **HB 1432** and has taken up and passed **SS#2** for **SCS** for **HCS** for **HB 1432**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HB 2194** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2194**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2379** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2379**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HB 1816** and has taken up and passed **SS** for **SCS** for **HB 1816**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HB 2029** and has taken up and passed **SS** for **HCS** for **HB 2029**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HBs 1434 & 1600** and has taken up and passed **SCS** for **HCS** for **HBs 1434 & 1600**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS#2** for **HCS** for **HB 1717** and has taken up and passed **SS#2** for **HCS** for **HB 1717**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 2591**, **HB 1958** and **HB 2369** and has taken up and passed **SCS** for **HB 2591**, **HB 1958** and **HB 2369**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SCR 43**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1649** and has taken up and passed **SCS** for **HCS** for **HB 1649**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2380** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2380**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HB 1435** and has taken up and passed **SS** for **HB 1435**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HB 1765** and has taken up and passed **SS** for **HCS** for **HB 1765**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 1561** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1561**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCS** for **HCR 73** and has taken up and passed **SS** for **HCS** for **HCR 73**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **SCS** for **HCS** for **HB 2376** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 2376**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 2453** and has taken up and passed **SCS** for **HCS** for **HB 2453**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1851** and has taken up and passed **SCS** for **HB 1851**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 968**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 765**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 765**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 988**, as amended, and has taken up and passed **CCS** for **SB 988**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 973**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 973**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 994**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 994**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 833**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 833**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 735**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 735**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 997**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 997**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted the Conference Committee Report #2 on **HCS** for **SS** for **SB 608**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SS** for **SB 608**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 947**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 1025**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 794**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS#2** for **SCS** for **HCS** for **HB 2332**, as amended, and has taken up and passed **SS#2** for **SCS** for **HCS** for **HB 2332**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 613**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 656**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 656**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 42**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 50**.

Concurrent resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 986**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 986**.

Emergency clause adopted.

Bill ordered enrolled.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 2244, regarding Ed Lewis, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 2245, regarding the Rotary Club, Poplar Bluff, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Jerry D. Kennett, Columbia.

On motion of Senator Kehoe, the Senate adjourned until 1:30 p.m., Wednesday, May 25, 2016.

✓

Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-FIRST DAY—WEDNESDAY, MAY 25, 2016

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

RESOLUTIONS

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 2246, regarding the Fiftieth Wedding Anniversary of Vincent and Connie Woods, Flemington, which was adopted.

Senator Richard offered Senate Resolution No. 2247, regarding Dr. Ronald Lankford, Webb City, which was adopted.

On behalf of Senator Libla, Senator Kehoe offered Senate Resolution No. 2248, regarding Linda J. Winchester, Saint Robert, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 2249, regarding Missouri Pacific Lumber Company, Fayette, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 2250, regarding the Fiftieth Wedding Anniversary of Roger and Judy Bagley, Trenton, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 2251, regarding the Fiftieth Wedding Anniversary of Ron and Vicki Burns, Gallatin, which was adopted.

On behalf of Senator Curls, Senator Kehoe offered Senate Resolution No. 2252, regarding Eagle Scout Jack Samuel LeVota, Independence, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 2253, regarding the death of Reverend Joel Kelly Davis, St. Louis, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 2254, regarding Linda Lewis, Mountain View, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 2255, regarding Cathy

Coonis, Seymour, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 2256, regarding the 2016 graduates of Innovative Concept Academy at Blewett School, St. Louis, which was adopted.

On behalf of Senator Keaveny, Senator Kehoe offered Senate Resolution No. 2257, regarding Reverend Leo J. Spezia, Eureka, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 2258, regarding Stephen Neil Heavin, Rolla, which was adopted.

On behalf of Senator Silvey, Senator Kehoe offered Senate Resolution No. 2259, regarding Justin Russell Bergman, which was adopted.

On behalf of Senator Silvey, Senator Kehoe offered Senate Resolution No. 2260, regarding Conlin Eliot Thacker, Kansas City, which was adopted.

Senator Richard offered Senate Resolution No. 2261, regarding Sharon Clark, Carl Junction, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 2262, regarding the Fiftieth Wedding Anniversary of Charlie and Sue Newland, Auxvasse, which was adopted.

On behalf of Senator Sifton, Senator Kehoe offered Senate Resolution No. 2263, regarding Eagle Scout Daniel Sitek, Saint Louis, which was adopted.

On behalf of Senator Curls, Senator Kehoe offered Senate Resolution No. 2264, regarding the Ninetieth Birthday of Rosemary Lowe, Kansas City, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS No. 2 for HCS for SS for SCS for SB 572; CCS for HCS for SCS for SB 578; SB 579; HCS for SCS for SBs 588, 603 and 942; HCS for SS No. 2 for SCS for SB 590; SCS for SB 591; CCS for HCS for SB 607; CCS No. 2 for HCS for SS for SB 608; SCS for SB 613; SCS for SBs 620 and 582; SB 624; CCS for HCS for SB 625; CCS for HCS for SB 635; CCS for SCS for SB 638; SB 641; SB 655; CCS for HCS for SB 656; HCS for SS for SCS for SB 657; SB 660; SB 664; HCS for SB 665; CCS for SB 700; SB 702; SB 711; CCS for HCS for SS for SB 732; CCS for HCS for SB 735; CCS for HCS for SCS for SB 765; CCS for HCS for SS for SB 786; SCS for SB 794; HCS for SCS for SB 814; CCS for HCS for SCS for SB 823; CCS for HCS for SB 833; SS for SCS for SB 838; SB 844; SS No. 2 for SB 847; CCS for SB 852; CCS for HCS for SCS for SB 861; CCS for HCS for SS for SCS for SBs 865 and 866; CCS for HCS for SB 867; SB 875; SCS for SBs 905 and 992; SB 915; SS for SCS for SB 919; CCS for SCS for SB 921; HCS for SB 932; SB 947; SCS for SB 968; CCS for HCS for SCS for SB 973; CCS for HCS for SS for SCS for SB 986; CCS for SB 988; CCS for HCS for SB 994; CCS for HCS for SB 997; SB 1002; SCS for SB 1009; SB 1025; and SCR 50, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.**

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS No. 2** for **HCS** for **SS** for **SCS** for **SB 572**; **CCS** for **HCS** for **SCS** for **SB 578**; **SB 579**; **HCS** for **SCS** for **SBs 588, 603 and 942**; **HCS** for **SS No. 2** for **SCS** for **SB 590**; **SCS** for **SB 591**; **CCS** for **HCS** for **SB 607**; **CCS No. 2** for **HCS** for **SS** for **SB 608**; **SCS** for **SB 613**; **SCS** for **SBs 620 and 582**; **SB 624**; **CCS** for **HCS** for **SB 625**; **CCS** for **HCS** for **SB 635**; **CCS** for **SCS** for **SB 638**; **SB 641**; **SB 655**; **CCS** for **HCS** for **SB 656**; **HCS** for **SS** for **SCS** for **SB 657**; **SB 660**; **SB 664**; **HCS** for **SB 665**; **CCS** for **SB 700**; **SB 702**; **SB 711**; **CCS** for **HCS** for **SS** for **SB 732**; **CCS** for **HCS** for **SB 735**; **CCS** for **HCS** for **SCS** for **SB 765**; **CCS** for **HCS** for **SS** for **SB 786**; **SCS** for **SB 794**; **HCS** for **SCS** for **SB 814**; **CCS** for **HCS** for **SCS** for **SB 823**; **CCS** for **HCS** for **SB 833**; **SS** for **SCS** for **SB 838**; **SB 844**; **SS No. 2** for **SB 847**; **CCS** for **SB 852**; **CCS** for **HCS** for **SCS** for **SB 861**; **CCS** for **HCS** for **SS** for **SCS** for **SBs 865 and 866**; **SB 875**; **SCS** for **SBs 905 and 992**; **SB 915**; **SS** for **SCS** for **SB 919**; **CCS** for **SCS** for **SB 921**; **HCS** for **SB 932**; **SB 947**; **SCS** for **SB 968**; **CCS** for **HCS** for **SCS** for **SB 973**; **CCS** for **HCS** for **SS** for **SCS** for **SB 986**; **CCS** for **SB 988**; **CCS** for **HCS** for **SB 994**; **CCS** for **HCS** for **SB 997**; **SB 1002**; **SCS** for **SB 1009**; **SB 1025**; and **SCR 50**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **SCS** for **HB** for **1414**; **HCS** for **HB 1418**; **SS No. 2** for **SCS** for **HCS** for **HB 1432**; **SCS** for **HCS** for **HBs 1434 and 1600**; **SS** for **HB 1435**; **HB 1443**; **SCS** for **HCS** for **HB 1474**; **SS** for **HCS** for **HB 1477**; **HCS** for **HB 1480**; **HB 1530**; **HB 1534**; **SS No. 2** for **SCS** for **HCS** for **HB 1550**; **HB 1559**; **SS** for **SCS** for **HCS** for **HB 1561**; **HCS** for **HB 1562**; **HB 1565**; **HB 1568**; **SCS** for **HB 1577**; **SCS** for **HB 1582**; **SCS** for **HCS** for **HB 1583**; **HB 1593**; **SCS** for **HCS** for **HB 1599**; **SS No. 2** for **SCS** for **HB 1631**; **SCS** for **HCS** for **HBs 1646, 2132 and 1621**; **SCS** for **HCS** for **HB 1649**; **HB 1681**; **SCS** for **HB 1682**; **HCS** for **HB 1684**; **SCS** for **HCS** for **HB 1696**; **SCS** for **HB 1698**; **SCS** for **HCS** for **HB 1713**; **SS No. 2** for **HCS** for **HB 1717**; **HB 1721**; **SS** for **HB 1733**; **SS** for **HCS** for **HB 1765**; **SS** for **SCS** for **HB 1816**; **SCS** for **HB 1851**; **SS** for **SCS** for **HCS** for **HB 1862**; **HB 1870**; **SS** for **HCS** for **HB 1877**; **SCS** for **HB 1936**; **SS** for **SCS** for **HCS** for **HB 1941**; **SCS** for **HCS** for **HB 1976**; **SCS** for **HCS** for **HB 2017**; **SS** for **SCS** for **HCS** for **HB 2018**; **SS** for **HCS** for **HB 2029**; **SCS** for **HCS** for **HB 2030**; **SCS** for **HB 2125**; **HCS** for **HB 2150**; **SS** for **SCS** for **HCS** for **HB 2194**; **HB 2237**; **SS No. 2** for **SCS** for **HCS** for **HB 2332**; **SCS** for **HB 2335**; **SS** for **HB 2355**; **SS** for **SCS** for **HCS** for **HB 2376**; **SS** for **SCS** for **HCS** for **HB 2379**; **SS** for **SCS** for **HCS** for **HB 2380**; **SS** for **HCS** for **HB 2381**; **HB 2428**; **SCS** for **HCS** for **HB 2453**; **SCS** for **HB 2591**, **HB 1958** and **HB 2369**; **SS** for **HCS** for **HCR 73**; and **SS** for **HJR 53**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills and joint resolution would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Schaaf submitted the following:

May 24, 2016

Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Article III, section 30 I hereby submit a constitutional objection to CCS/HCS/SB 867 based on violations of the following:

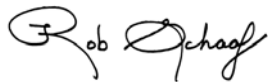
Pursuant to Article III, section 21 **Powers of each house to originate and amend bills.**

Section 21. The style of the laws of this state shall be: "Be it enacted by the General Assembly of the State of Missouri, as follows." No law shall be passed except by bill, and no bill shall be so amended in its passage through either house as to change its original purpose. Bills may originate in either house and may be amended or rejected by the other. Every bill shall be read by title on three different days in each house.

Additionally pursuant to Article III, section 23 **Limitation of the scope of bills.**

Section 23. No bill shall contain more than one subject which shall be clearly expressed in its title, except bills enacted under the third exception in section 37 of this article and general appropriation bills, which may embrace the various subjects and accounts for which moneys are appropriated.

Sincerely,



Rob Schaaf

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for HCS for SB 867**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objection notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS No. 2 for HCS for SS for SCS for SB 572; CCS for HCS for SCS for SB 578; SB 579; HCS for SCS for SBs 588, 603 and 942; HCS for SS No. 2 for SCS for SB 590; SCS for SB 591; CCS for HCS for SB 607; CCS No. 2 for HCS for SS for SB 608; SCS for SB 613; SCS for SBs 620 and 582; SB 624; CCS for HCS for SB 625; CCS for HCS for SB 635; CCS for SCS for SB 638; SB 641; SB 655; CCS for HCS for SB 656; HCS for SS for SCS for SB 657; SB 660; SB 664; HCS for SB 665; CCS for SB 700; SB 702; SB 711; CCS for HCS for SS for SB 732; CCS for HCS for SB 735; CCS for HCS for SCS for SB 765; CCS for HCS for SS for SB 786; SCS for SB 794; HCS for SCS for SB 814; CCS for HCS for SCS for SB 823; CCS for HCS for SB 833; SS for SCS for SB 838; SB 844; SS No. 2 for SB 847; CCS for SB 852; CCS for HCS for SCS for SB 861; CCS for HCS for SS for SCS for SBs 865 and 866; CCS for HCS for SB 867; SB 875; SCS for SBs 905 and 992; SB 915; SS for SCS for SB 919; CCS for SCS for SB 921; HCS for SB 932; SB 947; SCS for SB 968; CCS for HCS for SCS for SB 973; CCS for HCS for SS for SCS for SB 986; CCS for SB 988; CCS for HCS for SB 994; CCS for HCS for SB 997; SB 1002; SCS for SB 1009; SB 1025; and SCR 50, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

May 25, 2016

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 31, I hereby establish the Senate Interim Committee on Long-Term Care Facilities.

This committee shall conduct in-depth studies and make appropriate recommendations concerning:

- (1) The relationship between certificate of need laws for long-term care facilities, the role of the Missouri Health Facilities Review Committee, and the current occupancy and utilization of long-term care beds in Missouri, including beds in hospitals, long-term care facilities, and veterans homes;
- (2) Methods to improve quality of care and reduce costs in long-term care facilities, including exploring alternative financial strategies such as public-private partnerships;
- (3) The proper role of legislators serving on the Missouri Health Facilities Review Committee; and
- (4) Other matters related to the viability of Missouri's long-term care facility infrastructure.

This committee may solicit from agencies and individuals all information necessary to fulfill its obligations, including but not limited to, the Department of Health and Senior Services, the Department of Social Services, the Department of Mental Health, the Missouri Veterans Commission, the Missouri Health Facilities Review Committee, and appropriate leaders in the long-term care industry in Missouri.

I hereby appoint the following Senators to serve on the committee:

Sen. Cunningham, Chair
Sen. Riddle, Vice-Chair
Sen. Brown
Sen. Munzlinger
Sen. Curls
Sen. Nasheed


This committee shall be staffed by Senate Research and Senate Appropriations and may hold public hearings at locations to be determined by the chairman.

Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

The Committee shall issue a report as to their findings and recommendations, as approved by a majority of the members of the committee, to the president pro tempore of the Missouri Senate no later than December 31, 2016, at which point the committee shall be dissolved.

If you have any questions, please contact me at your earliest convenience.

Sincerely,



Ron Richard
President Pro Tempore
Missouri State Senate

Also,

May 25, 2016

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 31, I hereby establish the Senate Interim Committee on MO HealthNet Pharmacy Benefits.

This committee shall conduct in-depth studies and make appropriate recommendations concerning pharmacy benefits under the MO HealthNet program as well as potential cost savings strategies. The committee is also authorized to inquire into other matters related to the MO HealthNet

pharmacy program that the committee chair shall deem relevant.

The committee shall present a final report, together with its recommendations for any legislative action it deems necessary, to the President Pro Tempore of the Missouri Senate by December 31, 2016, at which point the committee shall be dissolved.

The committee may solicit any input and information necessary to fulfill its obligations from the appropriate state departments and agencies, including the Department of Social Services, as well as health care provider and patient advocacy organizations.

I hereby appoint the following Senators to serve on the committee:

Sen. Sater, Chair
Sen. Brown, Vice-Chair
Sen. Onder
Sen. Hegeman
Sen. Walsh
Sen. Schupp

This committee shall be staffed by Senate Research and Senate Appropriations and may hold public hearings at locations to be determined by the chairman.

Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

The Committee shall issue a report as to their findings and recommendations, as approved by a majority of the members of the committee, to the President Pro Tempore of the Missouri Senate no later than December 31, 2016, at which point the committee shall be dissolved.

If you have any questions, please contact me at your earliest convenience.

Sincerely,



Ron Richard
President Pro Tempore
Missouri State Senate

Also,

May 25, 2016

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 31, I hereby establish the Senate Interim Committee on Utility Regulation and Infrastructure Investment. This committee is charged with conducting in-depth studies and making appropriate recommendations concerning how the current regulatory oversight process of electric, natural gas, water, and sewer utility services in Missouri compares to that of other states. Furthermore, the committee shall examine ways that the utility regulatory process in Missouri might be modernized to be more efficient and effective in order to ensure sustained investment in utility infrastructure while at the same time promoting the interests of fairness among all constituencies, including consumers and shareholders of regulated utility companies.

I hereby appoint the following Senators to serve on the committee:

Sen. Emery, Chairman
Sen. Silvey, Vice-Chair
Sen. Romine
Sen. Riddle
Sen. Walsh
Sen. Holsman

This committee shall be staffed by Senate Research and Senate Appropriations and may hold public hearings at locations to be determined by the chairman.

Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

The Committee shall issue a report as to their findings and recommendations, as approved by a majority of the members of the committee, to the President Pro Tempore of the Missouri Senate no later than December 31, 2016, at which point the committee shall be dissolved.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Richard", with a stylized flourish at the end.

Ron Richard
President Pro Tempore
Missouri State Senate

On motion of Senator Kehoe, the Senate adjourned sine die, pursuant to the Constitution.

PETER KINDER
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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Journal of the Senate

NINETY-EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

SECOND REGULAR SESSION

VETO SESSION

WEDNESDAY, SEPTEMBER 14, 2016

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

“Send out your light and truth, that they may lead me.” (Psalm 43:3)

Wondrous God we come together in a bitter sweet time as we have begun saying goodbye to our colleagues who will be leaving us. We are grateful to have served this time with them and grateful to You, O God, that You have called each of us to serve our people. We ask that if we have been faithful You bless what we have done and that blessing remain with those who leave us. We are also here to fulfill our constitutional obligation, addressing the veto bills that are before us. We know that our actions affect our people and so we need Your guidance to direct our decisions knowing that our vote witnesses to whom we are and what we believe and the reason that we are here. Be with us throughout this day and be a light to the path that we must walk. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

The Lieutenant Governor was present.

Senator Kehoe announced photographers from Missourinet, KMOV-TV, Gasconade County Republican, KRCG-TV, KOLR-TV, Columbia Missourian, KSDK-TV, KTVI Fox 2, Jefferson City News Tribune, St. Louis Post-Dispatch, KSPR and Fox 26 KNPN were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-eighth General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the Ninety-eighth General Assembly.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate Bills, were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

June 28, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 1025 entitled:

AN ACT

To repeal section 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to the taxation of instructional classes.

I disapprove of Senate Bill No. 1025. My reasons for disapproval are as follows:

Senate Bill No. 1025 would exclude any amount paid for instructional classes from the definition of sale at retail for purposes of the Missouri sales tax law. Its intent is to exempt "instructional classes" offered at businesses like dance studios, martial art studios and gymnastic centers from sales tax, thereby overruling long-standing Missouri Supreme Court precedent. Because Senate Bill No. 1025 seeks to create an exemption from established law and its unaccounted-for budgetary impact is unsound fiscal policy, it fails to receive my support.

Senate Bill No. 1025 is another attempt to subvert the law that applies state and local sales tax to places of recreation and amusement like dance studios and gyms. It does so by creating a loophole for instructional classes that are conducted at these entities. Proponents disingenuously claim this provision is necessary to clarify a confusing area of the law. What they are really seeking is to chip away at an area of law that has consistently been applied by the Missouri Supreme Court and diligently followed by the department of revenue over the course of previous and current administrations. Places of amusement and recreation have always been subject to this particular tax. Earlier this year, the Missouri Supreme Court reiterated this point and made it clear that activities that constitute amusement or recreation are subject to the tax under existing law even if there is an instructional component. Moreover, because Senate Bill No. 1025's definition of "instructional class" is vague, it has the potential to generate even more litigation designed to further test and expand the exemption.

Enacting this new exemption would further erode the tax base without requiring the creation of even a single job, in addition to reducing state revenue for education, public safety and other vital services by \$8 million in Fiscal Year 2017 alone. When coupled with an additional estimated \$8 million reduction in local sales tax revenues, the overall cost of this provision to state and local revenues grows to \$16 million. The Fiscal Year 2017 budget passed by the General Assembly fails to account for the cost of this new carve-out, and would necessitate executive action to offset its fiscal impact if this legislation were to become law. This is fiscally irresponsible and cannot receive my support.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 1025 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

Wednesday, September 14, 2016

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GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 28, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 844 entitled:

AN ACT

To repeal section 272.030 and 272.230, RSMo, and to enact in lieu thereof one new section relating to livestock trespass.

I disapprove of Senate Bill No. 844. My reasons for disapproval are as follows:

Under current law, if any horses, cattle or other stock break over or through a fence and trespass on the property of another, the owner of the animals is liable for the damage caused to the other landowner. Under Senate Bill No. 844, the owner of the animals would not be responsible to his neighbor for the damage caused by his animals, unless the injured party can establish "the owner of the trespassing horses, cattle, or other stock was negligent." Current law properly assigns liability upon the owner of the animals that have caused the damage, and I will not approve legislation that shifts that risk to an innocent neighbor.

There are many reasons a farmer's animals could escape from confinement including the farmer's negligence, an act of God or the independent actions of a third party. Regardless of the underlying reason for the escape, Missouri's fencing law properly assigns liability to the owner of the animals that caused the damage. However, under Senate Bill No. 844, the victim of the animal rampage would be left without recourse, despite playing no role in causing the damage, unless negligence on the part of either the owner of the animals or a third party can be proven. The responsibility for making the injured party whole for the action of these animals is and must continue to be placed with the owner of the trespassing animals. Further, nothing precludes the owner of those animals from subsequently pursuing a responsible third party, if one exists, and seeking damages and indemnification for any payments made to compensate the neighbor for damages. Existing law is fair, equitable and places the financial exposure with the proper party.

Lastly, it was just three sessions ago, the General Assembly, over my objection, enacted Senate Bill No. 9 (2013) to create the crime of animal trespass. So, while in 2013 the General Assembly was willing to hold the owner of trespassing animals criminally responsible, in 2016, it now attempts to make it more difficult to hold that same owner civilly liable. This is wholly inconsistent, unfair and will not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 844 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 5, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 608 entitled:

AN ACT

To repeal sections 167.638, 174.335, 197.315, 208.152, 208.952, 208.985, 335.300, 335.305, 335.310, 335.315, 335.320, 335.325, 335.330, 335.335, 335.340, 335.345, 335.350, 335.355, 338.200, 376.1235, 376.1237, and 536.031, RSMo, and to enact in lieu thereof forty-five new sections relating to health care, with a contingent effective date for certain sections.

I disapprove of Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 608. My reasons for disapproval are as follows:

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 608 (Senate Bill No. 608) would needlessly punish our state's most vulnerable citizens without improving access to care or bringing Missourians' tax dollars back to Missouri. While these kinds of market-based reforms and incentives may be acceptable in the context of an expanded Medicaid population that includes more working Missourians, they are cruel and punitive when imposed solely on some of our very poorest and most vulnerable citizens.

Senate Bill No. 608 would impose a host of new penalties and fees on those who are least able to afford them, namely: low-income families, the aged, blind, and disabled. Fees for missed appointments and increased fees for emergency room visits later deemed non-emergency may seem very reasonable to those of us who have access to reliable transportation, who are able to take time off work for appointments and who have ready-access to telephone or e-mail services. Missourians who are disabled or who live in extreme poverty often cannot take advantage of these blessings that others may take for granted.

Over the past four years, the legislature has refused to expand Medicaid eligibility to cover working adults making up to 138 percent of the poverty level, or about \$15,000 a year for an individual, and Missouri has turned down billions of dollars in federal funding as a result. Currently, in order to qualify for Medicaid in Missouri, a single parent with two children can make no more than \$3,600 a year.

Strengthening Medicaid would provide health coverage to an additional 300,000 working Missourians, create thousands jobs in high-paying health care fields and generate millions of dollars in revenues for other priorities. Due to the legislature's inaction, Missourians continue to pay taxes to the federal government only to see those dollars go to the other 32 states that have moved forward with Medicaid expansion.

Gouging the poor while continuing to send our tax dollars to other states is not reforming our Medicaid system.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 608 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

June 27, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 (Senate Bill No. 656) entitled:

AN ACT

To repeal sections 50.535, 563.031, 571.030, 571.101, 571.104, 571.111, and 571.126, RSMo, and to enact in lieu thereof fourteen new sections relating to weapons, with penalty provisions, an emergency clause for a certain section, and an effective date for a certain section.

I disapprove of Senate Bill No. 656. My reasons for disapproval are as follows:

Senate Bill No. 656 would eliminate the current requirements that individuals obtain training, education, a background check and a permit in order to carry a concealed firearm in Missouri. Under Senate Bill No. 656, the safeguards in Missouri's concealed carry system would be thrown out and any individual who is allowed to possess a firearm would be automatically allowed to carry it concealed. In doing so, the bill would render meaningless the existing authority of sheriffs to deny concealed carry permits, allowing individuals to legally carry a concealed firearm even though they have been or would be denied a permit because their background check revealed criminal offenses or caused the sheriff to believe they posed a danger.

Since 2003, Missouri law has set forth a process for obtaining concealed carry permits.¹ Such permits are issued by Missouri sheriffs, who are charged with ensuring the safety of the communities they serve. As recently as 2013, the General Assembly passed and I signed a bill that reiterated the important role of Missouri sheriffs in issuing – and for proper public safety reasons denying where appropriate – concealed carry permits (Senate Bill No. 75 (2013)). Missouri law requires classroom and range training, as well as a background check and review by the sheriff, before an applicant can obtain a concealed carry permit.

I support this system, and have signed bipartisan legislation that proposed sensible expansions to our concealed carry laws. Such changes include:

- Modifying training requirements (House Bill No. 294 (2011), House Bill No. 1647 (2012), Senate Bills No. 489 & 637 (2012));
- Expanding the list of places into which those with permits may carry concealed firearms (House Bill No. 294 (2011));
- Lowering the minimum age for obtaining a permit (House Bill No. 294 (2011));
- Lengthening the duration a concealed carry permit is valid from three years to five years (Senate Bill No. 75 (2013));
- Expanding the list of who is exempt from having to obtain permits (House Bill No. 294 (2011), House Bill No. 533 (2013), Senate Bill No. 745 (2014));

¹ Prior to August 28, 2013, Missouri's concealed carry permit was reflected as an endorsement on the successful applicant's driver or non-driver license, and was therefore referred to in law and otherwise as a "concealed carry endorsement." Use of the term "permit" herein includes endorsements issued prior to August 28, 2013.

- Allowing those below the minimum age who serve our country in the armed forces to be able to obtain a permit (House Bill No. 1647 (2012));

- Vesting sole responsibility for maintaining concealed carry data in Missouri sheriffs (Senate Bill No. 75 (2013)).

While the above improvements received my support, Senate Bill No. 656, which would throw out the permit process and allow individuals to carry concealed firearms without any of the public safety protections that exist in current law, does not.

Under current law, to obtain a concealed carry permit, an individual must pass a course of at least eight hours in length that contains training on: handgun safety in the classroom, on the range, at home, and while carrying; basic principles of marksmanship; care and cleaning of concealable firearms; safe storage of firearms at home; the requirements for obtaining a concealed carry permit; Missouri laws relating to firearms. Section 571.111.2 RSMo. This training must also include instruction on Missouri laws relating to justifiable use of force. *Id.* Instructors spend a significant period of the classroom time educating students not only on how to use firearms, but, more importantly, when they are justified in using firearms to protect themselves or others. This classroom instruction is obviously important for public safety, and for the student as well, who needs to know when he may justifiably draw and fire his weapon at another human being. There are life-and-death scenarios reviewed in the classroom, as well as scenarios in which an individual *is not* justified in using lethal force.

In addition to this education, the individual must demonstrate that he or she can safely load and unload a handgun, and must successfully complete a live firing exercise that requires the applicant to fire twenty rounds at a target. Section 571.111.2 RSMo. Then, with the instructor present, the applicant must fire another twenty rounds at the target, hitting the target with at least fifteen of those twenty rounds. *Id.*

After successfully completing the day-long classroom and range instruction, the applicant must go to the sheriff's office and pass a background check before being authorized to carry concealed. Approved trainers throughout our state have taught many thousands of Missourians how to properly and safely handle a concealed firearm. And sheriffs in Missouri have processed applications, conducted background checks and issued concealed carry permits on the same scale. In doing so, sheriffs have also appropriately rejected many individuals' applications under the provisions of section 571.101 RSMo., and those decisions have been upheld by courts on appeal. But Senate Bill No. 656 would remove sheriffs' ability to appropriately exercise that authority to protect their communities from individuals who they determine are a danger to themselves or others.

Under Senate Bill No. 656, the following individuals could automatically, without any scrutiny, training or notification, carry a concealed weapon:

- A person who has pled guilty to a felony and received a suspended imposition of sentence (currently prohibited by section 571.101.2(3) RSMo.);²
- An 18-year old high school student (an individual who is not in the military must be at least 19 years old to apply for a concealed carry permit under section 571.101.2(1) RSMo.);
- A person who has been charged with (but not yet convicted of) a felony (currently prohibited by section 571.101.2(5) RSMo.);
- A person who has been convicted of misdemeanor assault (currently prohibited by section 571.101.2(4) RSMo.);
- A person who has two or more misdemeanor DUIs within the last five years (currently prohibited by section 571.101.2(4) RSMo.);
- A person with two or more misdemeanor drug possession convictions within the last five years (currently prohibited by section 571.101.2(4) RSMo.).

Under current law in Missouri, none of these individuals may carry a concealed firearm. Under Senate Bill No. 656, all of them may do so. And they may do so with no training, no background check or screening, and no permit required.

Members of Missouri's law enforcement community, many of whom supported the enactment of the concealed carry law in 2003 and still today support the permit system, have also raised these concerns. I have heard them, and I share their concerns. Sheriffs and their deputies are charged with keeping their communities safe. Through their work, they come to know very well the residents of their jurisdictions. The drafters of Missouri's concealed carry permitting law recognized this and included in the 2003 law section 571.101.2(7) RSMo., which authorizes a sheriff to deny the application of a person who has engaged in a documented pattern of behavior that causes the sheriff to reasonably believe that the applicant is a danger to himself or others. And sheriffs in Missouri can readily identify individuals in their jurisdictions who, although not prohibited by federal or state law from possessing a firearm, would be ineligible for a permit to carry one concealed.

² A suspended imposition of sentence reflects a finding of guilt but does not reflect a conviction. Therefore, an individual receiving a suspended imposition of sentence is not prohibited from possessing a firearm under state and federal law, both of which only prohibit possession by those *convicted of* a felony. *See* section 571.070.1(1) RSMo. and 18 U.S.C. 922(g)(1). But Missouri's concealed carry law requires the sheriff to deny the application of one who has pled guilty to or been convicted of a felony. Section 571.101.1(3) RSMo.

While a permit to carry a concealed weapon in Missouri would be wholly unnecessary under Senate Bill No. 656, our existing permitting process would still be available for individuals who wish to carry concealed weapons in other states through reciprocity and will lead to absurd and dangerous scenarios. For instance, an individual who applies for a permit and is denied based on the sheriff's determination that he is a danger to himself or others would nevertheless be allowed, under Senate Bill No. 656, to carry a concealed weapon in Missouri the moment he leaves the sheriff's office. I cannot support a system that would ignore a determination by the chief law enforcement officer of a county that an individual is a danger to the community and should not be authorized to carry a concealed firearm.

Missouri's system for granting concealed permits has been in place for more than a decade, and it has worked. Senate Bill No. 656 flouts this system, allowing individuals with no training, no proven handgun capability, and no background check to carry concealed. Law enforcement officials have not called for this change, and for good reason. Allowing currently prohibited individuals to automatically carry concealed firearms would make Missouri less safe.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 656 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
June 28, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI
Herewith I return to you Senate Bill No. 641 entitled:

AN ACT

To repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a deduction for compensation payments for agricultural losses.

I disapprove of Senate Bill No. 641. My reasons for disapproval are as follows:

Senate Bill No. 641 would create a new income tax break that could eviscerate the 2017 budget by requiring the state to issue over \$50 million in refunds for past payments received as part of any program that compensates agricultural producers through the United States Department of Agriculture for lost profits as a result of droughts, floods and other natural disasters.

While these payments have a beneficial purpose, I cannot support exempting them for purposes of income tax and certainly not doing so retroactively. These payments are specifically intended to replace lost income and represent profits that would otherwise be subject to taxation just like any other business profits. That is precisely why these payments are currently treated as income under federal law, current Missouri law, and the law of 39 other states. Of the states with a state income tax, only one does not treat these payments as income, and even in that state the tax break was not applied retroactively when enacted. Missouri should not join this lonely class.

The provision was specifically written to be retroactive to tax years beginning on or after January 1, 2014, in order to allow amended tax returns for the previous two years to claim a refund back to a year in which historically high payments were received. These individuals have already received these payments, paid taxes on them, and if Senate Bill No. 641 were to become law, would receive a windfall in the form of a refund for those taxes previously paid on that income. Due in large part to its retroactivity, the fiscal impact of Senate Bill No. 641 is estimated to be as high as \$51.5 million in general revenue for Fiscal Year 2017. This fiscal impact is significant and, more troubling, not accounted for in the Fiscal Year 2017 budget.

Apart from being poor tax policy, Senate Bill No. 641 is poor fiscal policy. Again this year the General Assembly passed a budget and then passed tax breaks such as this to divert the very revenue upon which the budget was based. Because the Fiscal Year 2017 budget fails to account for the reduction of revenue that would result from Senate Bill No. 641, executive action will be necessary to balance the budget if this bill were to become law.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 641 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
June 28, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI
Herewith I return to you Senate Substitute No. 2 for Senate Bill No. 847 entitled:

AN ACT

To repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

I disapprove of Senate Substitute No. 2 for Senate Bill No. 847. My reasons for disapproval are as follows:

In order for a person to be compensated for the harm they suffered as a result of the carelessness of another, the injured person is entitled to show a jury the total value of their losses—from past and future medical expenses to physical pain and suffering. Today, one way in which an injured person may help a jury to understand the extent and seriousness of their injuries is to show the jury the value of the medical care required for their treatment. This is a well-grounded, common-sense approach that has been used for many years.

Senate Substitute No. 2 for Senate Bill No. 847 (Senate Bill No. 847) abandons these principles, and instead substitutes an arbitrary rule that seeks to lessen the seriousness of a person's injury, not based on any physical evidence, but instead based primarily on deals made between insurance companies and healthcare providers that have nothing to do with the individual's injuries. This legislation would limit recoveries by injured people, and unfairly favor those who cause the injuries. It is fundamentally unjust, unmerited, and unnecessary and will not receive my support.

The value of medical treatment is an important piece of an injured person's total losses and a very critical piece of the information a jury considers when evaluating those injuries. Senate Bill No. 847 would completely undermine an injured individual's ability to fully and fairly establish their damages by illogically reducing the "actual cost of the medical care or treatment" through "adjustment for any contractual discounts, price reduction, or write-off by any person or entity."

Application of these reductions would significantly understate the true impact of the defendant's actions and would preclude the fact-finder from fully considering the harm suffered by the individual.

While Senate Bill No. 847 would be unfair to all injured individuals, it would be particularly unjust to those injured people who had the foresight and means to acquire insurance. It is those individuals with insurance who would have the value of their medical care or treatment most significantly reduced by contract or otherwise. These reductions afforded insurance companies by healthcare providers are often substantial and the admissibility of only the diminished or remaining cost, as would be required under Senate Bill No. 847, would wrongly limit an individual's recovery. As a result, this legislation would irrationally punish individuals with insurance and would do so to the benefit of the wrongdoer. This incongruous result illustrates the absurdity underlying this wrongheaded legislation.

Senate Substitute No. 2 for Senate Bill No. 847 is misguided policy purposely designed to benefit a wrongdoer at the expense of their victim and will not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute No. 2 for Senate Bill No. 847 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 1, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 994 entitled:

AN ACT

To repeal sections 262.823, 311.060, 311.091, and 311.205, RSMo, and to enact in lieu thereof five new sections relating to alcohol.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 994 (Senate Bill No. 994). My reasons for disapproval are as follows:

Senate Bill No. 994 would provide authority for the Missouri Wine and Grape Board to hire attorneys to oversee legal services that promote the board's marketing goals, and is specifically intended to authorize the board to hire legal counsel to defend the interests of Missouri wine manufacturers in lawsuits that are brought against those companies in another state. Authorizing legal services that are intended to ensure that lawsuits against Missouri businesses are unsuccessful is ultimately an expenditure of public funds for a private purpose, which would violate the Missouri Constitution regardless of the substance or merit of the lawsuit. Mo. Const. Art. III, Section 38(a). While promoting the Missouri wine industry is a worthy and legal endeavor, using state tax dollars to pay attorneys to defend the interests of private litigants is not.

The Missouri Wine and Grape Board is a public entity with the primary goal to promote the Missouri grape and wine industry through technical and marketing support. Funding for the board is derived from an excise tax on wine, and revenues are deposited in the state treasury to be used for the functions specifically authorized by law. Section 311.554, RSMo. However, the Missouri Constitution is the ultimate authority on how

public funds may be spent and specifically forbids the grant of public money to any private person, association or corporation. Mo. Const. Art. III, Section 38(a). And, the grant need not be given directly to a private person or corporation to violate the constitution. If the primary object of a public expenditure is to serve a public purpose, the expenditure is legal, even though it would also incidentally involve an expense, which, standing alone, would not be lawful. However, if the primary object is not to serve a public purpose, but to promote some private end, the expense is illegal, even though it may incidentally serve some public purpose. *State ex rel. City of Jefferson v. Smith*, 348 Mo. 554, 154 S.W.2d 101, 102 (Mo. banc 1941).

There is little doubt that House Bill No. 994's intended goal would result in the use of public funds for a private purpose. Indeed, an attorney would be hired and the intended expenditure would be triggered only when a Missouri company is subjected to litigation in another state. And, the outcome of that litigation will directly impact only the private company named as a defendant. Though the Missouri wine industry may ultimately benefit from a successful campaign to dismiss out-of-state claims against individual wine companies, that does not save an otherwise ill-conceived measure to allow state funds for an unconstitutional purpose. Whether it involves a promotion-worthy Missouri industry or not, I cannot support a bill that is intended to authorize a public entity to expend state revenue to support private litigants.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 994 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 28, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 591 entitled:

AN ACT

To repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

I disapprove of Senate Committee Substitute for Senate Bill No. 591. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 591 (Senate Bill No. 591) would discard Missouri's well-established criteria guiding the admissibility of expert testimony and replace it with a much more intricate, complicated and costly procedure. These changes are not proposed to solve an existing problem but instead are designed to make it more difficult and expensive for parties to bring forward their case and recover their proper damages. The process presently in place is fair and equitable to all litigants and the substantial and harmful retreat that would be realized by adoption of this new approach will not receive my approval.

The new requirements contained in Senate Bill No. 591 would needlessly strain judicial resources, require trial judges to conduct unnecessary hearings and become quasi-experts on complex subjects, and, in many cases, would impose a substantial financial burden on litigants. The current, long-standing procedure governing the admissibility of expert testimony has served our state court system well. Senate Bill No. 591 would not improve upon this existing model but rather would abandon our current approach for the purpose of targeting injured litigants, whether individuals, small businesses or others, by making it more expensive – and perhaps cost prohibitive – to bring forward their claims. As revealed in the federal court system from where the language of this legislation is borrowed, these provisions could lead to extensive pretrial evidentiary proceedings that would needlessly clog our courts and unnecessarily drain financial resources from the parties.

Senate Bill No. 591 is a targeted attack on an injured party's ability to be justly compensated for their damages, a purpose that is confirmed by the fact that the bill would specifically retain our current expert admissibility standards for probate, juvenile and family court cases. Moreover, the legislation, designed to make it more difficult to admit expert testimony and avoid the use of "junk science," would nevertheless allow a property owner, "while not an expert," to testify as to the reasonable market value of their own land.

The inconsistent approach of Senate Bill No. 591 is indicative of the misguided impetus behind this legislation. Missouri trial judges properly understand and apply Missouri's common sense standards relating to the admissibility of expert testimony and it would be harmful and disruptive to adopt the federally authored changes contained in Senate Bill No. 591 into our Missouri courts.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 591 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

June 23, 2016

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 entitled:

AN ACT

To repeal sections 66.620, 67.402, 99.845, 136.055, 137.016, 137.100, 137.115, 137.565, 182.802, 184.815, 190.335, 221.407, 233.180, 233.295, 304.190, 311.179, and 347.048, RSMo, and to enact in lieu thereof twenty new sections relating to political subdivisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 began its legislative existence as a simple, four-page bill containing a single, worthwhile measure providing a process for consolidating special road districts. Unfortunately, gathering legislative detritus on its voyage through the General Assembly, it transformed into an omnibus monstrosity running afoul of the Missouri Constitution and failing to gain my approval.

Since 1875, the Missouri Constitution has required legislation to be limited to its original purpose. This basic requirement promotes an open process to alert legislators and the general public to the substance of pending legislation and further prevents “logrolling,” in which several matters that would not individually command a majority vote are bundled into a single bill to ensure passage. Despite repeated admonitions from the courts, omnibus bills violating this Constitutional requirement continue to be passed.

The Missouri Constitution provides that “no bill shall be so amended in its passage through either house as to change its original purpose.” Mo. Const. Art. III, Sec. 21. This prohibition on adding “subject matter that is not germane to the object of the legislation or that is unrelated to its original subject” is meant to fairly apprise citizens of the subject of the legislation being considered. *C.C. Dillon Co. v. City of Eureka*, 12 S.W.3d 322, 326-27 (Mo. Banc 2000). Here, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867, began as an act “relating to county road district consolidation” but ballooned to 20 subjects ranging from tax deductions, to sheltered workshops, to property managers, to alcohol sales at an airport, to assessments of mining property, to state highway designations. Indeed, many of the provisions weighing down this legislation were inserted as amendments during the waning hours of session, without the benefit of a public hearing and with limited or no public debate.

The most egregious of these surreptitious additions would seek to impose new fees upon Missourians at license offices. If Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 were to become law, Missourians would be faced with a \$2.00 “notary fee” at their local license office, despite a separate subsection of law unchanged by the amendment expressly prohibiting the charging of a notary fee. The second new fee sought to be imposed would allow license offices to charge \$2.00 for each “electronic transmission” and each “electronic look-up.” Neither “transmission” nor “look-up” is defined in the legislation, instead leaving the scope of this new fee to the fee office agent’s imagination.

At the very least under this legislation, Missourians could be charged a new fee each and every time the license office sends an email (\$2.00), receives a fax (\$2.00), or electronically verifies information such as personal property tax (\$2.00), insurance (\$2.00), and a motor vehicle inspection (\$2.00). Add in a notarized document (\$2.00), and in a single transaction to register a motor vehicle, a Missourian could be facing an additional \$12.00 in fees, on top of the \$3.50 fee the license office can currently charge—more than quadruple the fees they could currently be charged.

As I stated in vetoing similar legislation in 2013, Missourians should not be asked to pay yet another new government fee to receive the same service they receive today, and certainly not by way of an eleventh hour amendment to an already swollen omnibus bill stretched far beyond the bill’s original purpose. While my action today will prevent a number of worthwhile provisions from becoming law, including the measure that gave birth to the underlying bill, it will also prevent Missourians being charged new fees at license offices through a constitutionally suspect vessel.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Kehoe moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

Senator Kraus moved that **SB 1025** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—29

NAYS—Senators

Curls Walsh—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Parson moved that **SB 844** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Schaaf	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Sater moved that **CCS No. 2** for **HCS** for **SS** for **SB 608** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Kraus	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-eighth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2016 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **HB 1631**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: the attached is a certified copy of the Roll Call on **SS No. 2** for **SCS** for **HB 1631**.

AYES: 115

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Eggleston	Engler	English	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Haahr
Haefner	Hansen	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Kelley
Kidd	King	Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Marshall	Mathews
McCaherty	McDaniel	McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads
Roden	Roerber	Rone	Ross	Rowden	Rowland 155	Ruth
Shaul	Shull	Shumake	Solon	Sommer	Spencer	Swan
Taylor 139	Taylor 145	Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker				

NOES: 41

Adams	Anders	Arthur	Burns	Butler	Colona	Conway 10
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Curtis	Dunn	Ellington	Gardner	Green	Harris	Hummel
Kendrick	Kirkton	Kratky	LaFaver	Lavender	May	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Rowland 29	Runions	Smith	Walton Gray	Webber	

ABSENT: 4

Carpenter	Hubbard	Montecillo	Rizzo
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for HCS for HB 2030**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: the attached is a certified copy of the Roll Call on **SCS for HCS for HB 2030**.

AYES: 119

Alferman	Allen	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Barnes	Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Burlison	Butler	Chipman
Cierpiot	Conway 104	Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin
Frederick	Gannon	Haahr	Haefner	Hansen	Harris	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Johnson
Jones	Justus	Kelley	Kidd	King	Koenig	Kolkmeier
Korman	LaFaver	Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mathews	McCaherty	McCreery	McDaniel	McGaugh
Messenger	Miller	Morris	Muntzel	Neely	Parkinson	Peters
Pfautsch	Phillips	Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Rowland 29	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145	Vescovo
Walker	White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker

NOES: 38

Adams	Burns	Carpenter	Colona	Conway 10	Curtis	Dunn
Ellington	Gardner	Green	Hummel	Hurst	Kendrick	Kirkton
Kratky	Lavender	Marshall	May	McCann Beatty	McDonald	McGee
McNeil	Meredith	Mims	Mitten	Moon	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson	Pogue	Runions
Smith	Walton Gray	Webber				

ABSENT: 3

Hubbard Montecillo Rizzo

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1763**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: the attached is a certified copy of the Roll Call on **HB 1763**.

AYES: 121

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Haahr	Haefner	Hansen	Harris	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Kelley	Kendrick	Kidd	King	Koenig
Kolkmeier	Korman	LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris	Muntzel	Neely
Nichols	Parkinson	Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Webber	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 34

Adams	Anders	Arthur	Barnes	Carpenter	Colona	Dunn
Ellington	Gardner	Green	Hummel	Kirkton	Kratky	Lavender
May	McCann Beatty	McCreery	McDonald	McGee	McNeil	Meredith
Mitten	Morgan	Newman	Norr	Otto	Pace	Peters
Pierson	Pogue	Rowland 29	Runions	Smith	Walton Gray	

ABSENT: 5

Conway 10 Hubbard Mims Montecillo Rizzo

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for HCS for HB 1713**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: the attached is a certified copy of the Roll Call on **SCS for HCS for HB 1713**.

AYES: 111

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Haahr
Haefner	Hansen	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Kelley
Kidd	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker	

NOES: 46

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	Ellington	English	Gardner	Green	Harris
Hummel	Kendrick	King	Kirkton	Kratky	LaFaver	Lavender
Marshall	May	McCann Beatty	McCreery	McDonald	McGee	McNeil
Meredith	Mims	Mitten	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Phillips	Pierson	Pogue	Rowland 29
Runions	Smith	Walton Gray	Webber			

ABSENT: 3

Hubbard	Montecillo	Rizzo
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VACANCIES: 3

Senator Kraus moved that **SS No. 2 for SCS for HB 1631** be passed, the objections of the Governor thereto notwithstanding.

Senator Schmitt assumed the Chair.

Senator Kraus submitted the following:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Will Kraus	/s/ Brian Munzlinger
/s/ Dan Brown	/s/ Rob Schaaf
/s/ Dave Schatz	/s/ Paul Wieland
/s/ Jay Wasson	/s/ Bob Onder
/s/ Kurt Schaefer	/s/ Ed Emery
/s/ Eric Schmitt	/s/ Ron Richard

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

President Kinder assumed the Chair.

The motion to pass **SS No. 2** for **SCS** for **HB 1631**, the objections of the Governor thereto notwithstanding, received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—3

Senator Munzlinger moved that **CCS** for **HCS** for **SB 656** be passed, the objections of the Governor thereto notwithstanding.

Senator Pearce assumed the Chair.

Senator Munzlinger submitted the following:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Brian Munzlinger	/s/ Jeanie Riddle
/s/ Will Kraus	/s/ Ron Richard
/s/ Kurt Schaefer	/s/ Mike Kehoe
/s/ Paul Wieland	/s/ Michael L. Parson
/s/ Paul Schatz	/s/ Jay Wasson
/s/ Doug Libla	/s/ Bob Onder
/s/ Eric Schmitt	/s/ Rob Schaaf
/s/ Dan Brown	/s/ Wayne Wallingford
/s/ David Sater	
/s/ Ed Emery	

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Dixon	Holsman	Nasheed	Schupp	Sifton	Walsh—7
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

The motion to pass **CCS** for **HCS** for **SB 656**, the objections of the Governor thereto notwithstanding, received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Curls	Holsman	Nasheed	Schupp	Sifton	Walsh—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Schatz moved that **SB 641** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Curls	Holsman	Schaaf	Schupp	Sifton	Walsh—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

On motion of Senator Kehoe, the Senate recessed until 7:25 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

VETOED BILLS

Senator Emery moved that **SS No. 2** for **SB 847** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Curls	Holsman	Nasheed	Schupp	Sifton	Walsh—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Munzlinger moved that **CCS** for **HCS** for **SB 994** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Schupp	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Curls	Emery	Holsman	Schaaf	Sifton	Walsh—6
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

SCS for **SB 591** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SB 867** was called thereafter and no motion was taken thereon.

Senator Silvey moved that **SCS** for **HCS** for **HB 2030** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Curls	Schupp	Sifton	Walsh—4
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Emery moved that **SCS** for **HCS** for **HB 1713** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Curls Holsman Schupp Sifton Walsh—5

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Wieland moved that **HB 1763** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

Senator Schmitt assumed the Chair.

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Curls Holsman Schupp Sifton Walsh—5

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1414**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **HB 1414**.

AYES: 111

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis	Dohrman	Eggleston
Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner	Hansen	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kidd	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love

Lynch	Marshall	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pietzman	Pike	Plocher	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland 155	Ruth	Shaul	Shull	Shumake
Sommer	Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker	

NOES: 46

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Curtis	Dogan	Dunn	Ellington	English
Gardner	Green	Harris	Hummel	Kendrick	King	Kirkton
Kratky	LaFaver	Lavender	May	McCann Beatty	McCreery	McDonald
McGee	McNeil	Meredith	Mims	Mitten	Morgan	Newman
Nichols	Norr	Otto	Pace	Pogue	Rowland 29	Runions
Smith	Solon	Walton Gray	Webber			

ABSENT: 3

Hubbard	Montecillo	Rizzo
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1870**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **HB 1870**.

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Higdon	Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus	Kelley	Kidd
King	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth	Shaul	Shull

Shumake	Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	White	Wiemann	Wilson	Wood	Zerr
Mr. Speaker						

NOES: 43

Adams	Anders	Arthur	Burns	Carpenter	Colona	Conway 10
Dunn	Eggleston	Ellington	English	Gardner	Green	Harris
Hummel	Kendrick	Kirkton	Kratky	LaFaver	Lavender	May
McCann Beatty	McCreery	McDonald	McGee	McNeil	Meredith	Mims
Mitten	Morgan	Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rowland 29	Runions	Smith	Walton Gray
Webber						

ABSENT: 4

Butler	Hubbard	Montecillo	Rizzo
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 1432**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SS No. 2** for **SCS** for **HCS** for **HB 1432**.

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtis	Curtman	Davis	Dogan
Dohrman	Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Green	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Kelley
Koenig	Kolkmeier	Korman	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall	Mathews	McCaherty
McCreery	McDaniel	McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pietzman	Pike
Plocher	Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	White	Wiemann	Wilson	Wood
Mr. Speaker						

NOES: 42

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	Ellington	English	Fitzwater 144	Gardner	Hummel
Kendrick	Kidd	King	Kirkton	Kratky	Lavender	May
McCann Beatty	McDonald	McGee	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Rowland 29	Runions	Smith	Walton Gray	Webber

ABSENT: 5

Black	Hubbard	Montecillo	Rizzo	Zerr
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 1976**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **HCS** for **HB 1976**.

AYES: 110

Alferman	Allen	Anders	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Bondon	Brattin
Brown 57	Brown 94	Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Eggleston	Engler	Entlicher	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon	Green	Haahr
Haefner	Hansen	Harris	Higdon	Hill	Hinson	Hoskins
Hough	Houghton	Hubrecht	Johnson	Jones	Justus	Kelley
Kendrick	Kidd	Kolkmeier	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	McCaherty	McCreery	McDaniel	McGaugh
Messenger	Miller	Morris	Muntzel	Nichols	Otto	Pfausch
Phillips	Pike	Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross	Rowden	Rowland 155
Rowland 29	Ruth	Shaul	Shull	Shumake	Smith	Solon
Sommer	Swan	Taylor 139	Taylor 145	Vescovo	Walker	Webber
White	Wiemann	Wilson	Wood	Mr. Speaker		

NOES: 44

Adams	Arthur	Burlison	Butler	Chipman	Curtis	Dunn
Ellington	English	Fitzpatrick	Gardner	Hummel	Hurst	King
Kirkton	Koenig	Korman	Kratky	Lavender	Leara	Marshall
Mathews	May	McCann Beatty	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Moon	Morgan	Neely	Newman	Norr
Pace	Parkinson	Peters	Pierson	Pietzman	Pogue	Runions

Spencer Walton Gray

ABSENT: 6

Black Colona Hubbard Montecillo Rizzo Zerr

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 844**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SB 844**.

AYES: 114

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Chipman	Cierpiot	Conway 10	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Davis	Dogan	Dohrman	Eggleston
Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner	Hansen	Harris
Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley	Kidd	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Mims	Moon	Morris	Muntzel	Neely	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pietzman	Pike	Plocher
Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden
Roeber	Rone	Ross	Rowden	Rowland 155	Ruth	Shaul
Shull	Shumake	Solon	Sommer	Spencer	Swan	Taylor 139
Taylor 145	Vescovo	Walker	Webber	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 40

Adams	Anders	Arthur	Barnes	Burns	Butler	Carpenter
Colona	Curtis	Curtman	Dunn	Ellington	English	Gardner
Green	Hummel	King	Kirkton	Kratky	LaFaver	Lavender
Leara	May	McCann Beatty	McCreery	McGee	McNeil	Meredith
Mitten	Morgan	Newman	Nichols	Norr	Otto	Pace
Rowland 29	Runions	Smith	Walton Gray	White		

ABSENT: 6

Black Hubbard Kendrick McDonald Montecillo Rizzo

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 1025**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SB 1025**.

AYES: 124

Alferman	Allen	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Basye	Beard	Bernskoetter	Berry	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Carpenter	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Eggleston	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Haahr	Haefner	Hansen	Harris
Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley	Kidd	King
Kirkton	Koenig	Kolkmeier	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall	Mathews	McCaherty
McCreery	McDaniel	McGaugh	Meredith	Messenger	Miller	Mitten
Moon	Morris	Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross	Rowden	Rowland 155
Runions	Ruth	Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker		

NOES: 31

Adams	Barnes	Colona	Curtis	Dunn	Gardner	Green
Hummel	Kendrick	Korman	Kratky	Lavender	May	McCann Beatty
McDonald	McGee	McNeil	Mims	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson	Pogue	Rowland 29
Smith	Walton Gray	Webber				

ABSENT: 5

Black	Butler	Hubbard	Montecillo	Rizzo
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's veto on **SCS** for **HCS** for **HB 1474**, **CCS** for **SCS** for **HCS** for **HB 2008**, **CCS** for **SCS** for **HCS** for **HB 2011**, and **HB 2237**, when the bills were called by the Speaker.

Senator Munzlinger moved that **SCS for HB 1414** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Holsman	Schaaf	Schupp	Sifton	Silvey	Walsh—7
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Wieland moved that **SS No. 2 for SCS for HCS for HB 1432** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Curls	Holsman	Nasheed	Schaefer	Schupp	Sifton	Walsh—7
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Pearce moved that **HB 1870** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Dixon	Hegeman	Kraus	Libla	Munzlinger	Nasheed
Parson	Pearce	Romine	Sater	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—18			

NAYS—Senators

Cunningham	Curls	Emery	Holsman	Kehoe	Onder	Richard
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Riddle Schaaf Schupp Sifton Walsh—12

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

Senator Munzlinger moved that **SCS** for **HCS** for **HB 1976** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Curls Schupp Walsh—3

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—3

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 3, regarding Reverend Dr. Robert Charles Scott, which was adopted.

Senator Munzlinger offered Senate Resolution No. 4, regarding Eagle Scout Benjamin Stainbrook, Monticello, which was adopted.

Senator Emery offered Senate Resolution No. 5, regarding Cathie J. Goth, Clinton, which was adopted.

Senator Wieland offered Senate Resolution No. 6, regarding Linda Schroeder, House Springs, which was adopted.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 7

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Committee Substitute for Senate Bill No. 591 and Conference Committee Substitute for House Committee Substitute for Senate Bill No. 867 when the bills were called by the president.

On motion of Senator Kehoe, the Senate recessed until 8:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS No. 2** for **HCS** for **SS** for **SB 608** the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **CCS No. 2** for **HCS** for **SS** for **SB 608**.

AYES: 110

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Dogan	Dohrman	Eggleston
Engler	English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gannon	Haahr	Haefner	Hansen
Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht
Hurst	Johnson	Jones	Justus	Kelley	Kidd	King
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel	McGaugh
Messenger	Miller	Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pietzman	Pike	Plocher	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Rowland 155	Ruth	Shaul	Shull	Shumake	Solon
Sommer	Spencer	Swan	Taylor 139	Taylor 145	Vescovo	Walker
Wiemann	Wilson	Wood	Zerr	Mr. Speaker		

NOES: 45

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Corlew	Curtis	Dunn	Ellington	Gardner	Green
Harris	Hummel	Kendrick	Kirkton	Kratky	LaFaver	Lavender
Marshall	McCann Beatty	McCreery	McDonald	McGee	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rowland 29	Runions	Smith
Walton Gray	Webber	White				

ABSENT: 5

Black	Hubbard	May	Montecillo	Rizzo
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **HCS** for **SB 656** the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **CCS** for **HCS** for **SB 656**.

AYES: 112

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis	Dogan	Dohrman
Eggleston	Engler	English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49
Flanigan	Fraker	Franklin	Frederick	Gannon	Haahr	Haefner
Hansen	Harris	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Kelley
Kidd	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike	Plocher	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 41

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	Gardner	Green	Hummel
Kendrick	King	Kirkton	Kratky	LaFaver	Lavender	McCann Beatty
McCreery	McDonald	McGee	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Rowland 29	Runions	Smith	Walton Gray	Webber	

ABSENT: 7

Black	Hubbard	Leara	May	Montecillo	Rizzo	Zerr
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 641** the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SB 641**.

AYES: 112

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57	Brown 94
Burlison	Carpenter	Chipman	Cierpiot	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	Dohrman	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker

Franklin	Frederick	Gannon	Haahr	Hansen	Harris	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Kelley	Kendrick	Kidd	King
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Mathews	McCaherty	McDaniel	McGaugh	McGee
Messenger	Miller	Mims	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pierson	Pietzman	Pike	Plocher
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland 155	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan	Taylor 139	Taylor 145
Vescovo	Walker	Webber	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 38

Adams	Anders	Arthur	Barnes	Butler	Colona	Conway 10
Conway 104	Curtis	Dogan	Dunn	Gardner	Green	Haefner
Hummel	Kratky	LaFaver	Lavender	Marshall	McCann Beatty	McCreery
McDonald	McNeil	Meredith	Mitten	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pogue	Rowland 29	Runions
Smith	Walton Gray	White				

ABSENT: 10

Black	Burns	Ellington	Hubbard	Kirkton	Leara	May
Montecillo	Rizzo	Zerr				

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **HCS** for **SB 994** the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **CCS** for **HCS** for **SB 994**.

AYES: 116

Alferman	Allen	Anderson	Andrews	Arthur	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Bondon	Brattin
Brown 57	Brown 94	Burlison	Butler	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Ellington	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon
Haahr	Haefner	Hansen	Harris	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Johnson	Jones	Justus
Kelley	Kidd	King	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love	Lynch	Mathews
McCaherty	McCreery	McDaniel	McGaugh	McGee	Messenger	Miller
Mims	Morris	Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Plocher	Redmon	Rehder	Reiboldt	Remole

Rhoads	Roden	Roeber	Rone	Ross	Rowden	Rowland 155
Ruth	Shaul	Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor 139	Taylor 145	Vescovo	Walker	Webber	White
Wiemann	Wilson	Wood	Mr. Speaker			

NOES: 34

Adams	Anders	Carpenter	Colona	Conway 10	Curtis	Dunn
Eggleston	Gardner	Green	Hummel	Hurst	Kratky	Lavender
Marshall	McCann Beatty	McDonald	McNeil	Meredith	Mitten	Moon
Morgan	Newman	Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Rowland 29	Runions	Smith	Walton Gray	

ABSENT: 10

Black	Burns	Hubbard	Kendrick	Kirkton	Leara	May
Montecillo	Rizzo	Zerr				

VACANCIES: 3

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Carrie Rebecca “Becca” Kristofferson, Mexico High School.

Senator Nasheed introduced to the Senate, Lyda, St. Louis.

Senator Walsh introduced to the Senate, Nichole Chapet, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Barbara Finch, University City.

On motion of Senator Kehoe, the Senate of the Veto Session of the Second Regular Session of the 98th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of Senate

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